



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

**Board Members**

Don Stapley, District 2, Chairman  
Fulton Brock, District 1  
Andrew Kunasek, District 3  
Max Wilson, District 4  
Mary Rose Wilcox, District 5

**County Manager**

David Smith

**Clerk of the Board**

Fran McCarroll

**Meeting Location**

Supervisors' Auditorium  
205 W. Jefferson  
Phoenix, AZ 85003

# FORMAL MEETING AGENDA

## BOARD OF SUPERVISORS Maricopa County, Arizona

(and the Boards of Directors of the Flood Control District, Library District,  
Stadium District, Improvement Districts and/or Board of Deposit)

**Tuesday, January 12, 2010  
9:00 AM**

Agendas are available at least 24 hours prior to each meeting in the Office of the Clerk of the Board, 301 West Jefferson, Tenth Floor, Phoenix, Arizona, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. and on the internet at [http://www.maricopa.gov/Clk\\_board/Agendas.aspx](http://www.maricopa.gov/Clk_board/Agendas.aspx). One or more Board members may attend telephonically. Board members attending telephonically will be announced at the meeting. The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3). Accommodations for individuals with disabilities, including alternative format materials, sign language interpretation, and assistive listening devices are available upon 72 hours' advance notice through the Office of the Clerk of the Board, 301 West Jefferson Avenue, Tenth Floor, Phoenix, Arizona 85003, (602) 506-3766, Fax (602) 506-6402, TDD (602) 506-2348. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request.

*See the Clerk and fill out a speaker's form if you would like to address the Board regarding any matter on the agenda.*



"La misión del Condado Maricopa es proveer a sus residentes el liderazgo regional y los servicios públicos necesarios en forma fiscalmente responsable, para que aquellos puedan disfrutar la vida en comunidades saludables y seguras"

**Miembros de la Junta**

Don Stapley, Distrito 2, Presidente  
Fulton Brock, Distrito 1  
Andrew Kunasek, Distrito 3  
Max Wilson, Distrito 4  
Mary Rose Wilcox, Distrito 5

**Administrador del Condado**

David Smith

**Secretaría de la Junta**

Fran McCarroll

**Ubicación de la Reunión**

Auditorio de los Supervisores  
205 W. Jefferson  
Phoenix, AZ 85003

## **AGENDA DE LA REUNIÓN FORMAL**

### **JUNTA DE SUPERVISORES**

### **Condado de Maricopa, Arizona**

(y de las Mesas Directivas del Distrito de Control de Inundaciones, el Distrito de Bibliotecas, el Distrito del Estadio,  
los Distritos de Mejoramientos y/o la Junta de Depósito)

**martes 12 de enero de 2010**  
**9:00 a.m.**

Las agendas están disponibles por lo menos 24 horas antes de cada reunión en la Oficina de la Secretaría de la Junta, 301 West Jefferson, 10º Piso, Phoenix, Arizona, de lunes a viernes, de 8:00 a.m. a 5:00 p.m., y en la Internet en [http://www.maricopa.gov/Clk\\_board/Agendas.aspx](http://www.maricopa.gov/Clk_board/Agendas.aspx). Uno o más miembros de la Junta pueden asistir telefónicamente. En la reunión se anunciará qué miembros de la Junta asistirán telefónicamente. La Junta puede votar a favor de una suspensión de la sesión para entrar a una sesión ejecutiva con el propósito de obtener asesoría legal del abogado de la Junta con respecto a cualquier asunto incluido en la agenda, en conformidad con el estatuto A.R.S. §38-431.03(A)(3). Hay acomodaciones disponibles para individuos con discapacidades, incluyendo materiales en formatos alternos, interpretación del lenguaje a señas, y dispositivos de asistencia auditiva si se solicitan por medio de un aviso con 72 horas por adelantado a través de la oficina de la Secretaría de la Junta, 301 West Jefferson Street, 10º Piso, Phoenix, Arizona 85003, (602) 506-3766, Fax (602) 506-6402, TDD (602) 506-2348. Al grado que sea posible, se proveerán acomodaciones razonables adicionales dentro de las restricciones de tiempo de la solicitud.

*Vea a la Secretaría y llene una forma para oradores si usted desea dirigirse a la Junta con respecto a cualquier asunto en la agenda.*

Habrán servicios de interpretación disponibles para aquellos individuos con conocimientos limitados del inglés quienes deseen participar en la reunión de la Junta, si da un aviso 18 horas por adelantado a través de la Oficina de la Secretaría de la Junta, 301 West Jefferson Street, 10º Piso, Phoenix, Arizona 85003, correo electrónico: [clerkboard@mail.maricopa.gov](mailto:clerkboard@mail.maricopa.gov), teléfono: 602-506-3766, ó fax 602-506-6402.

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1. **INVOCATION**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**

## **BOARD OF SUPERVISORS**

4. **Pet Showcase by Maricopa County Animal Care and Control.**

## **PRESENTATIONS**

### **5. SOUTHWEST CONTRACTOR MAGAZINE AWARD FOR BEST OF 2009**

Presentation regarding the Southwest Contractor Magazine Best of the Southwest for the Maricopa County Security Building Phase I-VI Renovation/Restoration Project.

Southwest Contractor Magazine's annual awards competition, The Best of 2009 Awards, honors the best in design and construction over the past year. The Phase I-IV Renovation/Restoration Project at the Security Building was one of 19 top and honorable mention awards given for Arizona projects, and one of 64 for the region which includes Arizona, Nevada and New Mexico. The Maricopa County project was the only winner in its category - Renovation/Restoration.

Over 340 entries were received in total in categories ranging from design to highway construction. For receiving a top honor in the Southwest, this project is now eligible to compete nationally for the Best of the Best Awards.

*Kenny W. Harris, Assistant County Manager for Public Works, County Engineer, and Director of Public Works*

*Janet E. Palacino, Director, Facilities Management Department*

*Janice V. Bowie, Capital Facility Manager, Facilities Management Department*

(C-91-10-089-P-00)

### **6. FLEET PROFESSIONAL OF THE YEAR FOR 2009**

Nat Matsuda, Maricopa County Equipment Services Administrator, was selected by the Rocky Mountain Fleet Management Association as the Fleet Professional of the Year for 2009. This award is granted to a Fleet Professional whose organization belongs to the RMFMA and has brought about a significant advance in the management or operation of the fleet. Such achievements may be productivity, quality, service, innovation, community service, and employee development. It can be in the areas of new methods, tools, record keeping, management, equipment, facilities or procedures.

*KEITH SWEARINGIN, President (2009 Outgoing) Rocky Mountain Fleet Management Association (RMFMA)*

(C-74-10-004-P-00)

## **STATUTORY HEARINGS**

**Clerk of the Board**

**7. LIQUOR LICENSE APPLICATIONS - APPROVED**

This is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

**a. NEW LICENSE FOR WALGREENS #00813**

Pursuant to A.R.S. § 4-201, approve an application filed by Randy Allen Guse for a New Series 10 Liquor License for Walgreens #00813 at 15442 N. 99th Avenue, Sun City, AZ 85351. (AZ10075893)(Supervisory District 4) (C-06-10-226-L-00)

**b. SPECIAL EVENT LICENSE FOR RECREATION CENTERS OF SUN CITY WEST**

Pursuant to A.R.S. § 4-203.02, approve a Special Event Liquor License Application filed by Mary V. Welch for the Recreation Centers of Sun City West at 13800 W. Deer Valley Drive, Sun City West, AZ 85375 to be held on April 10, 2010 from 5:00 p.m. to 10:00 p.m. (Supervisory District 4) (C-06-10-225-L-00)

**c. SPECIAL EVENT LICENSE FOR ST. STEVENS CATHOLIC CHURCH**

Pursuant to A.R.S. § 4-203.02, approve a Special Event Liquor License Application filed by Fr. Pierre Hissey for the St. Stevens Catholic Church at 24827 S. Dobson Road, Sun Lakes, AZ 85248 to be held on January 22, 2010 from 5:00 p.m. to 10:00 p.m. (Supervisory District 1) (C-06-10-237-L-00)

**d. SPECIAL EVENT LICENSE FOR SUN CITY AREA INTERFAITH SERVICES, INC.**

Pursuant to A.R.S. § 4-203.02, approve a Special Event Liquor License Application filed by Karen Lynn Keith for the Sun City Area Interfaith Services, Inc. at 15800 N. Del Webb Boulevard, to be held on January 29, 2010 from 5:30 P.M. to 9:30 p.m. (Supervisory District 4) (C-06-10-239-L-00)

**e. SPECIAL EVENT LICENSE FOR WISCONSIN DAY CLUB**

Pursuant to A.R.S. § 4-203.02, approve a Special Event Liquor License Application filed by John A. Groff for the Wisconsin Day Club at 10748 W. Claire Drive (Sun Bowl), Sun City, AZ 85351 to be held on March 4, 2010 from 9:00 a.m. to 3:00 p.m. (Supervisory District 4) (C-06-10-240-L-00)

**f. SPECIAL EVENT LICENSE FOR ST. ROSE/GOOD SHEPHERD PARISH CHURCH**

Pursuant to A.R.S. § 4-203.02, approve a Special Event Liquor License Application filed by Nicanor B. Bello for the St. Rose/Good Shepherd Parish Church at 45033 N. 12th Street, New River, AZ 85087 to be held on February 6, 2010 from 11:00 a.m. to 3:00 p.m. (Supervisory District 3) (C-06-10-245-L-00)

**g. LOCATION TRANSFER FOR VISTA GOLF DEVELOPMENT**

Pursuant to A.R.S. §4-203, approve an application filed by James Stephen Thomson for a Location Transfer of a Series 7 Liquor License for Vista Golf Development from 18402 El Circulo Drive, Rio Verde, AZ 85263 to 28715 N. Vista Verde Drive, Rio Verde, AZ 85263 . (AZ #07070183) (Supervisory District 2) (C-06-10-227-L-00)

**h. TEMPORARY EXTENSION OF PREMISES/PATIO FOR DESERT ROSE**

Pursuant to A.R.S. § 4-207.01, approve an application filed by Jolene Ann Hunter for a Temporary Extension of Premises/Patio of a Series 6 Liquor License for Desert Rose at 18300 S. Old U.S. Highway 80, Arlington, AZ 85322 (Supervisory District 5) (C-06-10-246-L-00)

**8. BINGO LICENSE APPLICATION FOR GFWC-MORRISTOWN WOMAN'S CLUB - APPROVED**

Pursuant to A.R.S. § 5-404(l), convene the scheduled public hearing regarding the application filed by GFWC-Morristown Woman's Club for a Class A Bingo License to be used at 25950 W. Rockaway Hills Drive, Morristown, AZ 85342.

The Board of Supervisors will recommend approval or disapproval of the application and forward the original application endorsed with its approval or disapproval to the Arizona Department of Revenue. (Supervisory District 4) (C-06-10-219-L-01)

**Public Works**

**9. ROAD FILE DECLARATIONS- APPROVED**

Approve, by resolution, petitions to open and declare the following roads into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation.

**a. ROAD FILE NO. 5076-R**

Road File No. 5076-R, said alignment is also known as Irvine Road from 35th Avenue to 7th Avenue, lying within Supervisor District No.3. (C-64-00-013-0-01)

**AGENCY ITEMS AND STATUTORY MATTERS**

**COUNTY OFFICERS**

**County Attorney**

**10. RESCIND ACTION FOR AGREEMENT WITH ARIZONA CRIMINAL JUSTICE COMMISSION FOR RECEIPT OF HIGH INTENSITY DRUG TRAFFICKING AREA GRANT - APPROVED**

Rescind the action taken on June 3, 2009 (C-19-09-049-G-00) approving an agreement (HT19-09-1210) between the Arizona Criminal Justice Commission (ACJC) and Maricopa County, on behalf of the Maricopa County Attorney's Office, for the High Intensity Drug Trafficking Area (HIDTA). Although approved by the Board of Supervisors, this agreement was not fully executed due to a change in the organizational structure for administering these funds. The Board of Supervisors approved a new agreement between Maricopa County on behalf of the Maricopa County Sheriff's Office and the Office of National Drug Control Policy (ONDCP) on December 2, 2009 (C-50-10-070-G-00) for administration of these funds.

The Arizona Criminal Justice Commission (ACJC) was the fiduciary for these HIDTA grant funds for Initiative 19. However, On July 1, 2009, the HIDTA Director advised all Initiative Commanders that they were notified by the ACJC that they (ACJC) could no longer continue as the Arizona HIDTA Region Fiduciary.

The Maricopa County Sheriff's Office has now been designated as the fiduciary for Maricopa County by the ONDCP. The Agreement (G09SA0005A) between ONDCP and the Maricopa County Sheriff's Office was subsequently approved December 2, 2009 by the Board of Supervisors (C-50-10-070-G-00).

All applicable documents were submitted for signature by the Maricopa County Sheriff's Office. (C-19-09-049-G-01)

**11. AMENDMENT TO VICTIMS' RIGHTS GRANT FUNDING- APPROVED**

Approve amendment to an award of FY 2009-10 grant funds from the State of Arizona, Office of the Attorney General. The amount of the award is amended from an amount of \$513,400 to a new amount of \$513,900. The original award was approved by the Board on October 21, 2009 (C1910010G00). These grant funds are to be used to support the direct costs of implementing victims' rights laws pursuant to Arizona Revised Statutes Title 13, Chapter 40 and Title 8, Chapter 3, Article 7 impacting prosecutorial agencies as an entity type. The commenced July 1, 2009 and terminates on June 30, 2010. In accordance with Victims' Rights Program Guidelines, Section IV, page 5, the grant allows a 0% rate for indirect costs, or \$0 that may be incurred by the County Attorney's Office of Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's composite indirect cost rate at 14.4%, or \$74,002. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$74,002. Authorize the Chairman of the Board of Supervisors, or designee, to sign all documents related to this amendment. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law.

This award is amended to reflect a total amount of \$513,900. This award is used to support one 1.0 FTE Legal Support Assistant (PCN 17260) and ten 1.0 FTE Advocates (PCN 11755, 15625, 16279, 16280, 16281, 16287, 17259, 19720, 32411, 64537). This award will ensure that victims of crime are notified of the progress of criminal proceedings. This grant will expire at the end of the agreement. There is no long-term expectation of continued funding for this grant; however, the County Attorney's Office has been receiving grant funds from the Attorney General's office for victim services since FY 1996-97, the most recent award was for FY 2008-09 in the amount of \$521,350. (C-19-10-010-G-01)

**Sheriff**

**12. DONATIONS- APPROVED**

In accordance with County Policy A2805, accept the monthly donation report received from Sheriff's Office for November 2009. Donation reports are on file in the Clerk of the Board's Office. (C-06-10-251-7-00)

**13. RESCIND ACTION FOR AGREEMENT WITH ARIZONA CRIMINAL JUSTICE COMMISSION FOR THE HIGH INTENSITY DRUG TRAFFICKING AREA PROGRAM- APPROVED**

Rescind previous action taken on May 20, 2009 in which approval was granted for Agreement No. HT19-09-113 between the Arizona Criminal Justice Commission (ACJC) and Maricopa County, through the Maricopa County Sheriff's Office for the High Intensity Drug Trafficking Area (HIDTA) Program. The agreement was never executed due to a change in the organizational structure for administering these funds. (C-50-09-071-G-01)

**14. RESCIND ACTION FOR AGREEMENT WITH ARIZONA CRIMINAL JUSTICE COMMISSION FOR ARIZONA DRUG INTELLIGENCE TASK FORCE- APPROVED**

Rescind previous action taken on May 20, 2009 in which approval was granted for Agreement No. HT19-09-0212 between the Arizona Criminal Justice Commission (ACJC) and Maricopa County, through the Maricopa County Sheriff's Office for the Arizona Drug Intelligence Task Force (ADITF). The agreement was never executed due to a change in the organizational structure for administering these funds. (C-50-09-069-G-01)

**15. ANNUAL RENEWAL OF DEEP UNDERCOVER VEHICLE REGISTRATIONS- APPROVED**

Approve renewal of deep undercover registrations and exemptions from markings, including non-government license plates per A.R.S. 38-538-03, for Sheriff's RICO vehicles that are used for conducting investigations into major felony crimes, narcotics operations, and organized crime activity throughout Maricopa County.

Per A.R.S. 38-538.03, approval by the Board of Supervisors is required to renew a vehicle's registration and exemption from markings for a deep undercover vehicle. The Sheriff's Office maintains a fleet of RICO vehicles, not-to-exceed 50, approved for exemption from markings and for issuance of non-governmental plates per A.R.S. 38-538.03. The confidentiality of the make, model and other descriptive identification of these vehicles is critical to the success of the investigative efforts and protecting the lives and identities of the detectives in the field. The list with a full description of the vehicle is on file with the Clerk of the Board and should only be opened in the presence of the Deputy Chief of the Criminal Investigations Bureau or his designee, Commander of Special Investigations Division. (C-50-10-077-M-00)

**16. RESCIND ACTION AND APPROVE REVISED AGREEMENT WITH THE ARIZONA ATTORNEY GENERAL'S OFFICE FY 2010 VICTIMS' RIGHTS PROGRAM (VRP)- APPROVED**

1. Rescind the action taken on September 16, 2009, (C-50-10-033-G-00) to approve acceptance of up to \$136,300 in grant funding from the Arizona Attorney General's Office. The Attorney General's Office discovered an error in the award amount and an updated agreement is submitted for approval.

2. Approve the (revised) Agreement and acceptance of \$136,500 in continued grant funding from the Attorney General's Office. The term of this Agreement is July 1, 2009 through June 30, 2010

The Sheriff's Office indirect cost rate for FY2010 is 16.6%. Unrecoverable indirect costs associated with this grant are estimated at \$22,659. (C-50-10-033-G-01)

**17. VEHICLE USE AGREEMENT WITH NATIONAL INSURANCE CRIME BUREAU AND TEMPORARY ADDITION TO FLEET- APPROVED**

Approve the Vehicle Use Agreement between the National Insurance Crime Bureau (NICB) and the Maricopa County Sheriff's Office (MCSO) and a temporary addition to the fleet of a 1995 Honda Civic. The term of this Agreement is through September 28, 2012. This vehicle will be used for a designated purpose in association with the Arizona Automobile Theft Authority (AATA) Law Enforcement Program.

Also approve exemptions from markings in accordance with A.R.S. §38-538.03 and the use of undercover plates. This vehicle will not be a take home vehicle and will only be used to conduct suppression details.

The estimated annual operating costs of this vehicle is \$500 to be supported through the Arizona Auto Theft Authority (AATA) grant (Agenda C-50-09-083-G-00) approved by the Board of Supervisors on June 17, 2009. This is a temporary addition to the fleet and the vehicle will be returned or a new vehicle use agreement will be submitted for approval and there will be no funding from the general fund for its replacement. (C-50-10-078-M-00)

**18. AGREEMENTS WITH LAW ENFORCEMENT ENTITIES FOR THE REIMBURSEMENT OF FUNDS FROM THE STATE HOMELAND SECURITY GRANT PROGRAM- APPROVED**

Approve three FY 2010 Intergovernmental Agreements for the purpose of reimbursement of funds from the State Homeland Security Grant Program (SHSGP) of the Arizona Department of Homeland Security (AZDOHS)-555208-02. These Intergovernmental Agreements are funded by a grant from Arizona Dept of Homeland Security, (C-50-10-044-G-00).

City of Tucson, \$88,649; City of Phoenix, \$117,601; and City of Mesa, \$59,408. The term of these agreements is effective October 1, 2009 through September 30, 2010. These are pass through federal funds through the State of Arizona and the Sheriff's Office is the administering agency. The original agenda approval date for this grant was October 7, 2009. Because these are subrecipients, indirect costs do not apply. (C-50-10-083-3-ZZ)

**19. INCREASE TO SOLE SOURCE CONTRACT WITH HARRIS WIRELESS PRODUCTS GROUP FOR UPGRADES TO KINGFISH DUAL-MODE SYSTEM- APPROVED**

Approve an increase to Sole Source Contract Serial 09041--SS with Harris Wireless Products Group of up to \$212,000 for grant-funded upgrades for the KingFish Dual-Mode System and the required training. The term of the current contract ends May 19, 2010 with an option to extend for up to a maximum for four years at the County's discretion. The Contractor must be notified in writing at least thirty day prior to the expiration of the original contract.

Funding for this purchase will be from the HIDTA grant Program Income. The HIDTA Grant was approved by the Board on December 2, 2009, under a new Agreement with Office of Drug Control Policy (ONDCP) C-50-10-0070-G-00. The increase to the Sole Source will facilitate implementation.

Also, approve an exception to the Technology Finance Program (TFP) that allows the Sheriff's Office to purchase the necessary hardware and software for the KingFish Dual-Mode System.

Sole Source contract is in the amount of up to \$212,000. Ongoing support if applicable will be funded through HIDTA (High Intensity Drug Trafficking Area). The funding for the KingFish System Sole Source was initially approved by the Board on May 20, 2009 under C-50-009-073-3-00. (C-50-09-073-3-01)

**20. RESOLUTION AND ACCEPTANCE OF GRANT FUNDS FROM ARIZONA STATE PARKS- APPROVED**

Adopt a Resolution to the Arizona State Parks Board and, if awarded, approve acceptance of a grant for Law Enforcement and Boating Safety Funds up to \$297,350. This grant funds 50% of the salaries and benefits for eight existing deputy sheriff positions that provide boating law enforcement on the county lakes and rivers. A 50% soft match requirement is met by funding the balance of these existing positions the General Fund (100). The estimated award period is July 1, 2010 through June 30, 2011.

The Sheriff's Office FY 10 indirect costs rate is 16.6%. These grant funds are the result of A.R.S. § 5-383 and indirect cost recovery is not allowed. The unrecoverable indirect costs associated with this grant are estimated to be \$49,360.10. (C-50-10-076-G-00)

**Superintendent of Schools**

**21. APPLY AND ACCEPT 2010 TITLE IV SAFE AND DRUG FREE BASIC GRANT- APPROVED**

Approve the application for and acceptance of \$7,752 for the Title IV Safe and Drug Free Basic grant (10-FSDIVB-060738-02A). The purpose of this grant is to provide additional funding for school districts to deliver targeted education and services to all students to reduce bullying and violence in schools. The term of this grant is for one year, July 1, 2009 to June 30, 2010. Authorize the Chairman to sign all documents related to these grant funds, as applicable.

MCSOS's indirect rate for FY 2010 is 21.50 percent. The restricted indirect cost rate allowed by this grant source is 0.00 percent. Unrecoverable indirect costs on this award are \$1,666.68. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditures of these revenues are not prohibited by the budget law. This action does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

This one year grant is a federal entitlement grant that provides additional funding for school districts to deliver targeted education and services to all students to reduce bullying and violence in schools. (C-37-10-072-G-00)

**22. APPLY AND ACCEPT STATE CHEMICAL ABUSE GRANT- APPROVED**

Approve the application for and acceptance of \$6,000 for 2010 State Chemical Abuse grant (10ssdchm-060738-03A) from the Arizona Department of Education (ADE). This grant provides funds for the reduction of drug use on Arizona school campuses. The term of this grant is for one year, July 1, 2009 to June 30, 2010. Authorize the Chairman to sign all documents related to these grant funds, as applicable.

MCSOS's indirect rate for FY 2010 is 21.50 percent. The restricted indirect cost rate allowed by this grant source is 0.00 percent. Unrecoverable indirect costs on this award are \$1,290. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditures of these revenues are not prohibited by the budget law. This action does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

This one year grant is a State supplemental grant that provides funds for the reduction of drug use on Arizona school campuses. (C-37-10-073-G-00)

#### **Treasurer**

#### **23. TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT SUMMARY- APPROVED**

Pursuant to A.R.S. § 11-501, receive the Treasurer's Statement of Collections and Investment summary reports for November 2009, as on file in the Clerk of the Board's office and retained in accordance with Arizona State Library Archives and Public Records (ASLAPR) approved retention schedule. (ADM4006) (C-43-10-012-7-00)

### **JUDICIAL BRANCH**

#### **Adult Probation**

#### **24. AMENDMENT TO LEASE WITH COVENANT PRESBYTERIAN CHURCH- APPROVED**

Approve and execute Amendment No. 4 to Lease No. L-7282 with Covenant Presbyterian Church for the property located at 1224 West Virginia Avenue Phoenix, Arizona. The purpose of this amendment is to execute a lease renewal for 633 square feet of office space. This agreement provides for Maricopa County to contribute \$450.00 per month or \$5,400 annually plus rental tax as reimbursement for its share of operating and utility costs. Lessee and Lessor agree to amend the Space Lease Agreement to reflect the actual square feet of lease space to 633 square feet. This amendment is effective from January 1, 2010 to December 31, 2013. (C-11-99-004-4-04)

#### **Justice Courts**

#### **25. APPOINTMENTS FOR PRO TEM JUSTICES OF THE PEACE - WITHDRAWN**

Pursuant to A.R.S. § 22-121, approve the appointment of the following individuals as Pro Tem Justices of the Peace for the period January 16, 2010 through December 31, 2010, to serve in various programs in Justice Courts to reduce trial delay. This serves the interests of judicial economy and promotes sound case flow management. The individuals identified below will serve as Pro Tem Justices of the Peace with compensations at a rate of \$48.79 per hour. Funds are available within the existing budget to cover the projected expenditure of \$170,430.

Antunes, Jerri  
DiPiazza, Nicholas C.  
Felton, Agnes

Henry, John C.  
Hudson, Wilbur  
Hull, Joseph C.  
Malka, Joseph W.  
Nelson, Douglas N.  
Nelson, Keith R.  
Pate, Rickey Ray  
Smith, Terry  
Vaughn, Jim  
Williams, Scott E. (C-24-10-005-9-00)

**26. EXCEPTION TO TECHNOLOGY FINANCE PROGRAM FOR THE PURCHASE OF SERVER- APPROVED**

Approve an exception to the Technology Finance Program (TFP) to allow the Justice Courts to purchase a server through a one-time expenditure of funds in the Justice Court Judicial Enhancement Fund (204). The total cost is estimated not-to-exceed \$40,000.00.

Justice Courts recently entered into an agreement with Superior Court to fund the purchase of a server for the Justice Courts eFiling project. The goal of this project is to implement electronic filing of court documents within the Justice Courts to interface technology platforms between the Administrative Office of the Courts, Justice Courts and Court Technology Services. (C-24-10-006-M-00)

**Superior Court**

**27. APPOINTMENT OF SUPERIOR COURT JUDGE PRO TEMPORE- APPROVED**

Approve the appointment of Superior Court Commissioner Cynthia Bailey as Superior Court Judge Pro Tempore, in accordance with A.R.S. § 12-141, for the period commencing January 15, 2010 through June 30, 2010.

In order to obtain greater flexibility in the use of Court Commissioners, the Superior Court customarily has all Court Commissioners appointed as Superior Court Judges Pro Tempore so they may, on occasion, hear contested matters. This serves the interest of judicial economy and promotes sound caseload management. Superior Court Commissioner Cynthia Bailey would serve as Pro Tempore without any additional compensation other than that to which entitled to as a Superior Court Commissioner. (C-80-10-011-2-00)

**COUNTY MANAGER**

**Justice System Planning & Information/Special Projects**

**28. ADMINISTRATIVE CORRECTION FOR APPROPRIATION ADJUSTMENT FOR JUSTICE ASSISTANCE GRANT- APPROVED**

Approve an Administrative Correction to the action taken on July 22, 2009 (C-42-09-015-3-00) that approved acceptance of grant funding from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2009. This action will cause agenda item C-42-09-015-3-00 to read: approve adjustments in the amount of \$2,224,634 to the appropriated revenue and expenditure budget for the County Manager's Office (200) Non Departmental Grant

Fund (249) Non Recurring Non Project (0001). This correction does not change the direction or intent of the previous actions. (C-42-09-015-3-01)

## DEPUTY COUNTY MANAGER

### Management and Budget

#### 29. AMENDMENT TO THE MARICOPA COUNTY 2009 TAX LEVY PACKET- **APPROVED**

Approve an amendment to the "Maricopa County 2009 Tax Levy Packet" approved by the Board of Supervisors on August 17, 2009 under C-49-10-006-2-00. This amendment will correct the primary and secondary tax levy, net assessed value and tax rates for the Roosevelt School District #66 listed in Schedule G, page 20 and Schedule H, page 31.

The Roosevelt School District #66 submitted an amended budget and changed the amount needed to be raised by taxation. Based on the amended budget, the tax levy packet will be amended as follow:

Maricopa County				
School District Operating Levies				
Primary Roll				
Fiscal Year 2009-10				

**Schedule G, page 20 is amended  
as follows:**

DISTRICT	2009 PROPERTY TAX LEVY	2009 NET ASSESSED VALUE	DISTRICT NUMBER	2009 PRIMARY TAX RATE
Roosevelt #66				
Maintenance and Operation	<del>39,202,836</del>			<del>4.3044</del>
	26,236,758			2.8808
Capital Outlay	<del>506,549</del>			<del>0.0556</del>
	506,549			0.0556
Soft Capital	<del>842,405</del>			<del>0.0925</del>
	842,405			0.0925
Special Improvements	<del>1,307,634</del>			<del>0.1436</del>
	1,307,634			0.1436
<b>Total</b>	<del>41,859,424</del>	<del>910,754,315</del>	<del>05066</del>	<del>4.5964</del>
	28,893,346	910,754,315	05066	3.1725

Maricopa County				
School District Debt, Override, and Special Tax Levies				
Secondary Roll				
Fiscal Year 2009-10				

**Schedule H, page 31 is amended**

as follows:

DISTRICT	2009 SECONDARY PROPERTY TAX LEVY	2009 NET ASSESSED VALUE	DISTRICT NUMBER	2009 SECONDARY TAX RATE
Roosevelt #66				
Voter Override-Capital Outlay	0	-		0.0000
	0			0.0000
Voter Override - M&O	0			0.0000
	0			0.0000
Class A bonds	1,935,477			0.1785
	1,935,477			0.1785
Class B bonds	4,051,523			0.3738
	4,051,523			0.3738
<b>Total</b>	5,987,000	1,084,002,358	05066	0.5523
	5,987,000	1,084,002,358	05066	0.5523

In addition, direct the County Treasurer to make corresponding changes in the affected tax bills.

The Roosevelt School District #66 will reimburse Maricopa County an estimated \$23,973 for sending revised tax notices. (C-49-10-006-2-02)

**30. TRANSFER OF EXPENDITURE AUTHORITY FOR DOWNTOWN UTILITY CONNECTION-  
APPROVED**

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount of \$1,069,862 within the FY 2009-10 appropriated budget for Non-Departmental (470) General Fund (100)Non-Recurring/Non-Project (0001) from General Contingency to a new line item within Other Programs (4712) entitled "Downtown Utility Connection (APS)". This action authorizes the transfer of contingency funds to expense the utility connections for the Court Tower. (C-49-10-027-M-00)

**Public Health**

**31. STUDENT ROTATION AGREEMENT WITH CHAMPERLAIN COLLEGE OF NURSING-  
APPROVED**

Approve the Affiliation Agreement entitled "Student Rotation Training Agreement" between Chamberlain College of Nursing, LLC and the Department of Public Health to provide public health training experience for Chamberlain College students in the MCDPH Immunization Services program. The agreement is non-financial, and is effective from January 1, 2010 until December 31, 2014. (C-86-10-092-3-00)

**32. EXEMPTION TO THE POST EMPLOYMENT HEALTH ENHANCEMENT (RETIREMENT)  
PROGRAM- APPROVED**

Approve an exemption to the Post Employment Health Enhancement (Retirement) Program (PEHEP) requirement of deleting a position which is being vacated as a result of employee participation. The Department of Public Health, Office of Nutrition Services WIC Division will need to rehire for the Administrative Supervisor (#32905) due to the fact that the department

cannot operate without this position.

Also, approve an exemption to the PEHEP in order to recruit for (#32905) Administrative Supervisor with the hiring range of \$19.52/Hour to \$23.74/Hour.

Position #32905, in The Department of Public Health Office of Nutrition Service WIC Division, was vacated as a result of the previous incumbents participation in the 2009 Retirement Health Enhancement Program. The position attributes are as follows:

MRT: Administrative Supervisor – WIC Site Supervisor  
Status: Classified  
Budgeted Rate: \$27.96

Due to the nature of this position, the Department of Public Health, Office of Nutrition Services WIC Division feels it necessary to replace the incumbent in position #32905 with the following attributes:

MRT: Administrative Supervisor – WIC Site Supervisor  
Status: Classified  
Budgeted Rate: \$23.74

Due to the impending retirement of a Health Services Aide the department will achieve additional budgeted savings for FY 2009-10. This will result in at least \$4.22 per hour in savings as required under the 2009 Retirement Health Enhancement Program. Since The Department of Public Health has already achieved \$2,054,838 in budgetary reductions in the General Fund for FY 2010, no further reductions are required at this time. This PCN is 100% Grant Funded and any savings will be utilized by the grant and their operations. (C-86-10-093-6-00)

**33. AMENDMENT TO THE AFFILIATION AGREEMENT WITH SCOTTSDALE HEALTHCARE CORP- APPROVED**

Approve Amendment No. 1 to the Affiliation Agreement between Scottsdale Healthcare and the Department of Public Health to provide clinical nutrition training experience for graduate students in the dietetic internship at the Department of Public Health Office of Nutrition Services. The amendment extends the term of the agreement 24 months from December 31, 2009 to December 30, 2011. This amendment also makes an additional change to the general provisions. All other terms and conditions of the original agreement shall remain unchanged. (C-86-08-061-0-01)

**34. IGA WITH LAVEEN ELEMENTARY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES- APPROVED**

Approve an Intergovernmental Agreement (IGA) between Laveen Elementary School District and Maricopa County by and through its Department of Public Health to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$6,000 for budget period beginning July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-095-3-00)

**35. IGA WITH GLENDALE UNION HIGH SCHOOL DISTRICT FOR HIGH SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES- APPROVED**

Approve an Intergovernmental Agreement (IGA) between Glendale Union High School District and Maricopa County by and through its Department of Public Health to provide high school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$2,000 for budget period beginning July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-096-3-00)

**36. IGA WITH AVONDALE ELEMENTARY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES- APPROVED**

Approve an Intergovernmental Agreement (IGA) between Avondale Elementary School District and Maricopa County by and through its Department of Public Health to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$10,350 for budget period beginning July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-098-3-00)

**37. IGA WITH PHOENIX ELEMENTARY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES- APPROVED**

Approve an Intergovernmental Agreement (IGA) between Phoenix Elementary School District and Maricopa County by and through its Department of Public Health to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$16,100 for budget period beginning July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-097-3-00)

**38. IGA WITH CREIGHTON SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES- APPROVED**

Approve an Intergovernmental Agreement (IGA) between Creighton School District and Maricopa County by and through its Department of Public Health to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. Funding is for a not-to-exceed amount of \$9,200 for budget period beginning July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-099-3-00)

**39. AMENDMENT TO IGA WITH CARTWRIGHT SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES- APPROVED**

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) between Cartwright School District and Maricopa County through its Department of Public Health to increase the contract by \$1,000 to provide school-based tobacco use prevention and education services

for contract period ending May 1, 2010. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$19,000 for the contract term July 1, 2009 through May 1, 2010.

Funding for this agreement is provided by the Tobacco Education/Prevention Grant from ADHS and will not increase the County general fund budget. (C-86-10-032-3-01)

**40. CONTRACT WITH MARICOPA INTEGRATED HEALTH SYSTEMS FOR LABORATORY TESTING SERVICES- APPROVED**

Approve Request for Proposal (RFP) Contract (PH RFP 10-001A) between Maricopa County Special Healthcare District dba Maricopa Integrated Health Systems (MIHS) and Maricopa County through its Department of Public Health, Clinical Services to provide Laboratory Testing Services. The RFP contract period is from October 12, 2009 through October 11, 2012.

MIHS is a successful respondent to a RFP (PH RFP 10-001) issued by Maricopa County Department of Public Health (MCDPH) pursuant to MC1-328. The contract will be funded through various sources, grant fund (532), fee fund (265) and general funds (100) from the Clinical Services Division throughout the contract period. (C-86-10-101-3-00)

**41. CONTRACT WITH SONORA QUEST LABORATORIES LLC FOR LABORATORY TESTING SERVICES- APPROVED**

Approve Request for Proposal (RFP) Contract (PH RFP 10-001B) between Sonora Quest Laboratories (SQL), LLC and Maricopa County through its Department of Public Health, Clinical Services to provide Laboratory Testing Services. The RFP contract period is from October 12, 2009 through October 11, 2012.

SQL is a successful respondent to a Request for Proposal (PH RFP 10-001) issued by Maricopa County Department of Public Health (MCDPH) pursuant to MC1-328. The RFP contract will be funded through various sources, grant fund (532), fee fund (265) and general funds (100) from the Clinical Services Division throughout the contract period. (C-86-10-102-3-00)

**42. CONTRACT WITH OXFORD DIAGNOSTIC LABORATORIES FOR LABORATORY TESTING SERVICES- APPROVED**

Approve Request for Proposal (RFP) Contract (PH RFP 10-001C) between Oxford Diagnostic Laboratories (ODL) and Maricopa County through its Department of Public Health, Clinical Services to provide Laboratory Testing Services. The RFP contract period is from October 12, 2009 through October 11, 2012.

ODL is a successful respondent to a Request for Proposal (PH RFP 10-001) issued by Maricopa County Department of Public Health (MCDPH) pursuant to MC1-328. The RFP contract will be funded through various sources, grant fund (532), fee fund (265) and general funds (100) from the Clinical Services Division throughout the contract period. (C-86-10-103-3-00)

**43. AMENDMENT TO CONTRACT WITH CENTRAL ARIZONA SHELTER SERVICES FOR HOMELESS DENTAL SERVICES- APPROVED**

Approve Amendment No. 3 to sole source Contract between Maricopa County through its Health Care for the Homeless (HCH) Program and Central Arizona Shelter Services, Inc., (CASS) to extend the term of the contract from November 1, 2006 through October 31, 2010

and increase the contract by \$75,000 for CASS to provide dental services to homeless individuals. This amendment brings the contract to a new not-to-exceed amount of \$225,000 for the term November 1, 2009 through October 31, 2010. All other term and conditions of the original Agreement shall remain in full force and effect.

The sole source contract is in compliance with the Maricopa County Procurement Code, Section MCI-344. (C-86-06-064-1-03)

**44. AMENDMENT TO FACILITY USE AGREEMENT WITH CATHOLIC HEALTHCARE WEST DBA CHANDLER REGIONAL MEDICAL CENTER- APPROVED**

Retroactively approve and execute Amendment No. 2 to the full service Facilities Use Agreement No. P50108 with Catholic Healthcare West, a California non-profit public benefit corporation d/b/a Chandler Regional Medical Center, Licensee, for the use of a clinic room to perform vaccinations to uninsured children at the WIC clinic located at 3002 N. Arizona Ave., Chandler, AZ. The term of the Agreement will automatically renew each year through the remaining term of the lease (March 31, 2013) unless terminated earlier by either party giving a 30-day written notice of termination. Licensee agrees to provide the Services at no cost to the County and the recipients. County agrees to provide access and promotion assistances without monetary remuneration. (C-86-08-071-0-02)

**45. CONTRACT WITH FRY'S FOOD DRUG STORES FOR COMMUNITY IMMUNIZATION PROVIDER SERVICES- APPROVED**

Approve Contract to a Public Health Request for Proposal 10-005 (PH RFP 10-005H) between Fry's Food Drug Stores (FFDS) and Maricopa County through its Department of Public Health (MCDPH) for the purpose of providing Community Immunization Provider (CIP) Services. The total for all contracts awarded under PH RFP 10-005 cannot exceed the combined aggregate total of \$1,505,463. The term for this contract is from November 12, 2009 ending November 11, 2010.

FFDS was a successful respondent to Request for Proposal (PH RFP 10-005) issued by the MCDPH pursuant to MC1-328. This Contract is funded by a grant from Arizona Department of Health Services (AHDS) (HG754199) and does not affect the county general fund. This contract is a subcontract to IGA (HG754199) between Maricopa County through its Department of Public Health and the Arizona Department of Health Services (ADHS) and does not affect the county general fund. Reimbursement to subcontractors is per vaccination at a rate of \$8 per vaccination administered. The total not-to-exceed amount of all contracts pursuant to PH RFP 10-005 will not exceed the amount of \$1,505,463. (C-86-10-105-3-00)

**46. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICE FOR BREASTFEEDING PEER COUNSELING PROGRAM- APPROVED**

Approve Amendment No. 2, Intergovernmental Agreement (IGA) No. HG961186 between Arizona Department of Health Services (ADHS) and Maricopa County by and through its Department of Public Health to provide increased grant funding for the Breastfeeding Peer Counseling Program. This amendment replaces Price Sheet of original contract with a revised Price Sheet for not-to-exceed \$1,082,363. The revised Price Sheet is effective October 1, 2009 through September 30, 2010. The term of this IGA is October 1, 2008 through September 30, 2013.

The Department of Public Health's indirect rate for FY 2009-10 at 19.5%. Indirect costs are estimated at \$176,620 and are fully recoverable.

All other terms and provisions of the original Agreement are not modified and as set forth

herein shall remain in full force and effect.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. The revised budget is over by \$4,282 and will be reduced in the next budget appropriation adjustment. Funds for this IGA are provided by ADHS and do not affect the County's general fund. (C-86-09-040-3-02)

**47. LEASE AGREEMENT WITH MARICOPA INTEGRATED HEALTH SYSTEMS FOR AVONDALE WIC SITE- APPROVED**

Approve and execute Lease No. G-30122 (C-90-10-007-1) with Maricopa County Special Health Care District d.b.a. Maricopa Integrated Health System (MIHS), Lessor, for 2,619 square feet (sf) of office space location at the Avondale Family Health Center (FHC) located at 950 East Van Buren Street, Avondale, AZ 85323. The rental rate is \$17.00 sf or an annual rate of \$44,523 plus rental tax. The initial term of this lease shall be three years and shall commence upon execution by Lessee and Lessor with no provision for "hold over". At the end of the initial term, this lease shall automatically renew for seven additional one year periods for a total of ten years, unless terminated in accordance with paragraph 8 of this lease.

The purpose of the lease is to conduct the business of the Women and Infant Children Program administered through the Arizona Department of Health Services. (C-86-10-106-1-00)

**48. PROCUREMENT CHANGE ORDER TO IGA WITH THE ARIZONA DEPARTMENT OF HEALTH SERVICES FOR IMMUNIZATION SERVICES- APPROVED**

Approve Procurement Change Order No. 4 to Purchase Order (E9H29350) to Intergovernmental Agreement (IGA) (No. HG854288) between the Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health to provide immunization services. This Procurement Change Order increases funding by \$88,800 for a total funding amount of \$1,892,756 for budget period January 1, 2009 through December 31, 2009. The term for this IGA is January 1, 2008 through December 31, 2012. All other terms and conditions of the original IGA shall remain in full force and effect.

The Department of Public Health indirect rate for FY 2009-10 is 19.5%. This amendment is for the grant cycle that started January 1, 2009 with the indirect rate of 18%. Grant indirect costs are fully recoverable, and are estimated to be \$288,725.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. Funding for this agreement is provided by a Grant from ADHS and will not increase the County general fund budget. (C-86-08-056-2-06)

**49. CONTRACT FOR SERVICES WITH LEXISNEXIS COMPANY VITALCHEK NETWORK INC- APPROVED**

Approve the Sole Source Contract for Services between LexisNexis Company VitalChek Network Inc. (VitalChek) and Maricopa County through its Department of Public Health to provide remote order processing of certified copies of vital records on behalf of the department's Vital Records Program. VitalChek will collect the established fees for the certified record copies and provide the payment to the department of approximately \$150,000 annually. This is a fee-for-service agreement and the expected annual revenue will depend on the number of records requested. The agreement will begin on January 1, 2010 through December 31, 2014.

The Department of Public Health's fee fund indirect rate is 16.8%. Full indirect costs are estimated at 21,575 all of which is recoverable.

In accordance with Maricopa County Procurement Code MCI-343-D1, a Sole Source contract is justified based on the necessity that these services need to be compatible with the current operational system already in place at the Arizona State Vital Records Office. All procedures, including a two week advertisement have been followed.

The Arizona Department of Health Services' (ADHS) Vital Records Office has been using VitalChek since 1993 and recommends the department utilize their processing services as well. The Department of Public Health has been using VitalChek since 2007. (C-86-10-094-3-00)

### **Workforce Management and Development**

**50. AMENDMENTS TO THE BYLAWS OF THE PHOENIX EMA RYAN WHITE PART A PLANNING COUNCIL- APPROVED**

Approve amendments to the Bylaws of the Phoenix EMA Ryan White Part A Planning Council (Planning Council), effective upon the date of the Board of Supervisor's approval.

In compliance with HRSA regulations, the Maricopa County Board of Supervisors appointed the Ryan White Part A Planning Council to set priorities and determine resource allocations for services funded by the Ryan White Treatment Modernization Act of 2006 (formerly the Ryan White CARE Act of 1990). The original Planning Council drafted Bylaws to govern their activities, which were approved by the Board of Supervisors on June 5, 1996. Subsequent amendments were approved on October 4, 2004 and March 1, 2006. The current Ryan White Planning Council has drafted additional amendments to these Bylaws, which are presented to the Maricopa County Board of Supervisors for approval. (C-31-10-007-9-00)

**51. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES- APPROVED**

Amendment No. 1 to Intergovernmental Agreement (IGA) HG952236 between Arizona Department of Health Services (ADHS) and Maricopa County through the Workforce Management and Development, amending not-to-exceed amount of \$1,000,000 to \$2,000,000. The purpose of this Intergovernmental Agreement is to provide AIDS Pharmaceutical Assistance, administered by the Ryan White Part B Program. This Intergovernmental Agreement new effective date will be from January 28, 2009 until June 30, 2010. (C-31-10-008-3-00)

### **ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION**

#### **Animal Care and Control**

**52. DONATIONS FROM MARITA CALLAWAY AND MARGARET DONOVAN- APPROVED**

Accept monetary donations from Marita Callaway of Glendale, AZ in the amount of \$300, and from Margaret Donovan of Gilbert, AZ in the amount of \$500 for the care of the animals.

Donation revenue funds are deposited into Fund (573) as they are received. Donation funds

are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-10-055-D-00)

**53. DONATIONS FROM FRIENDS OF ANIMAL CARE AND CONTROL- APPROVED**

Accept the restricted monetary donation from Friends of Animal Care & Control (FACC's) of Phoenix, AZ to fund the Maricopa County Spay/Neuter Voucher Program in the amount of \$60,000 and the Foster Program in the amount of \$3,888.55. The total donation received was in the amount of \$63,888.55 which supports one position in the Foster Program.

Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-10-062-D-00)

**54. DONATIONS FOR THE CARE OF THE ANIMALS- APPROVED**

Accept monetary donations from Kevin Kreitman of Scottsdale, AZ in the amount of \$500, and from an anonymous donor in the amount of \$865.79 for the care of the animals.

Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-10-063-D-00)

**55. DONATION FROM CLAUDIA HEIMBURGER- APPROVED**

Accept a monetary donation from Claudia Heimburger of Phoenix, AZ in the amount of \$250 for the care of the animals.

Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-10-066-D-00)

**56. DONATION FROM ARIZONA COMPANION ANIMAL SPAY/NEUTER COMMITTEE- APPROVED**

Accept the restricted monetary donation from the Arizona Companion Animal Spay and Neuter Committee, in the amount of \$10,000. This restricted donation is to fund the Maricopa County Spay/Neuter Assistance Program. All funds are expected to be expended by October 1, 2010.

Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-10-053-D-00)

**57. DONATIONS FOR THE CARE OF THE ANIMALS- APPROVED**

Accept monetary donations from Fergie Jenkins Foundation of Lewiston, New York in the amount of \$500, Gary Josephson of Phoenix, AZ in the amount of \$500, Peter Pahules of Mesa, AZ in the amount of \$400, S. Shedenhelm of Sun Lakes, AZ in the amount of \$300, and from William Fisher of Scottsdale, AZ in the amount of \$300 for the care of the animals. A total of \$2,000 in monetary donations was received.

Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-10-054-D-00)

**58. DONATION FROM LYNN MORRISON- APPROVED**

Accept a monetary donation from Lynn Morrison of Scottsdale, AZ in the amount of \$500 for the care of the animals.

Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-10-067-D-00)

**59. AGREEMENT WITH FEDWELL FARM RESCUE, INC. FOR NEW HOPE PROGRAM- APPROVED**

Approve an Agreement between Carrie B. Wright, d.b.a. Fedwell Farm Rescue, Inc., 15305 E. Rio Verde Drive, Scottsdale, AZ 85262, and Maricopa County to allow Fedwell Farm Rescue, Inc. under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 14 new hope rescues over the term of the agreement, for a total of \$560. The term of this Agreement is from January 12, 2010 through June 30, 2011. (C-79-10-057-3-00)

**60. AGREEMENT WITH SAVE ANIMALS FROM EUTHANASIA FOR NEW HOPE PROGRAM- APPROVED**

Approve an Agreement between Evie Mangano, d.b.a. Save Animals From Euthanasia, P. O. Box 6829, Apache Junction, AZ 85278, and Maricopa County to allow Save Animals From Euthanasia under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 24 new hope rescues over the term of the agreement, for a total of \$960. The term of this Agreement is from January 12, 2010 through June 30, 2012. (C-79-10-059-3-00)

**61. AGREEMENT WITH EAST VALLEY NEW LIFE RESCUE FOR NEW HOPE PROGRAM-  
APPROVED**

Approve an Agreement between East Valley New Life Rescue, a 501 (C) 3 corporation, 210 S. Goldfield, Apache Junction, AZ 85119, and Maricopa County to allow East Valley New Life Rescue under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 12 new hope rescues over the term of the agreement, for a total of \$480. The term of this Agreement is from January 12, 2010 through June 30, 2011. (C-79-10-060-3-00)

**62. AGREEMENT WITH NINE LIVES FOUNDATION FOR NEW HOPE PROGRAM-  
APPROVED**

Approve an Agreement between Nine Lives Foundation, a 501 (C) 3 corporation, 1825 E. Hazelwood Street, Phoenix, AZ 85016, and Maricopa County to allow Nine Lives Foundation under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 16 new hope rescues over the term of the agreement, for a total of \$640. The term of this Agreement is from January 12, 2010 through June 30, 2012. (C-79-10-061-3-00)

**63. AGREEMENT WITH MIXED UP MUTTS FOR NEW HOPE PROGRAM- APPROVED**

Approve an Agreement between Mixed Up Mutts, a 501 (C) 3 corporation, 1204 E. Windsor Avenue, Phoenix, AZ 85006, and Maricopa County to allow Mixed Up Mutts under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 470 new hope rescues over the term of the agreement, for a total of \$18,800. The term of this Agreement is from February 8, 2010 through June 30, 2013. (C-79-10-064-3-00)

**64. KENNEL PERMIT FOR ACE KENNELS- APPROVED**

Approve kennel permit #026 pursuant to A.R.S. §11-1009 for Donald Baird, Jr., d.b.a. Ace Kennels, 4407 N. 379th Avenue, Tonopah, AZ 85354 in District 5 for the term of January 13, 2010 through January 12, 2011. The cost of a kennel permit is \$328. (C-79-10-056-L-00)

**65. KENNEL PERMIT FOR NIX KENNELS- APPROVED**

Approve kennel permit #032 pursuant to A.R.S. §11-1009 for Sue Nix, d.b.a. Nix Kennels, 2505 E. Louise Drive, Phoenix, AZ 85032 in District 3 for the term of January 13, 2010 through January 12, 2011. The cost of a kennel permit is \$328. (C-79-10-065-L-00)

**Human Services**

**66. AMENDMENT TO CONTRACT AGREEMENT WITH TEMPE COMMUNITY ACTION, INC.-  
APPROVED**

Approve Amendment No. 3 to the Contract between Tempe Community Action Agency, Inc., a not-for-profit organization, and Maricopa County administered by its Human Services Department (C22-08-076-1-00) to increase the contract amount by \$75,410 to be funded from the American Recovery and Reinvestment Act (ARRA) funds, and approve the General Provision updates. The term of this amendment is from July 1, 2009 through June 30, 2010.

This amendment increases the sub-recipient FY2010 contract total grant award amount to \$286,964. The expenditures from this contract will be reimbursed from revenue from the Department of Economic Security (C-22-06-016-3-00). The general provisions that are to be included as part of the amendment are the Certification and Debarment statement, the IRAN/SUDAN statement, and the E-verify statement. All other terms and conditions of the original contract remain in full force and effect. (C-22-08-076-1-03)

**67. AMENDMENT TO LEASE AGREEMENT WITH CITY OF CHANDLER FOR HEAD START CLASSROOM- APPROVED**

Approve an amended and restated lease (L-7178) with the City of Chandler for the continued rental of an existing Head Start classroom and playground located at 660 South Palm Lane, Chandler, Arizona. The amendment increases the rental rate from \$3,750 to \$4,000 per year, and extends the term of the rental for an additional two years from January 28, 2010 through January 28, 2012, with an automatic option to extend the term for one successive one-year term. This amended lease does not affect County General Funds.

This action was endorsed by the Facility Review Committee on October 22, 2009. The classroom is located in a City of Chandler public housing facility and serves a total of 34 children 3-5 years of age. Maricopa County has been operating a Head Start classroom at this site since 1993. (C-22-05-115-4-02)

**68. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF ECONOMIC SECURITY TO PROVIDE CASE MANAGEMENT AND COMMUNITY SERVICES- APPROVED**

Approve Amendment No. 13 to the Intergovernmental Agreement (IGA) between the Arizona Department of Economic Security (E6306005) and Maricopa County administered by its Human Services Department (C-22-06-016-3-00), to increase the grant funds by \$893,296 for a new total not-to-exceed the amount of \$5,822,634. The reimbursement ceiling for the service Case Management is increased from \$2,669,054.00 to \$3,275,642.00, which includes \$671,474.00 (Carry Forward) funding, a decrease of \$64,886 (TANF) for a net increase of \$606,588. The reimbursement ceiling for the service Community Services is increased from \$878,054.00 to \$1,164,762.00, which includes \$286,708.00 (Carry Forward) funding. The Carry Forward funding amounts have already been accounted for in the cumulative reimbursement ceiling.

The term of this amendment is July 1, 2009 through June 30, 2010.

The Fiscal Year 2009-10 Human Services Department (HSD) actual indirect cost rate is 18% and the current negotiated approved U. S. Department of Health and Human Services indirect cost rate is 16.2%. The increase in grant funds are \$893,296.00 for a new not-to-exceed total of 5,822,634.; of which \$1,692,805 is passed through to sub recipients and \$3,200,285 is direct services, which is not subject to indirect cost recovery. The total indirect

cost amount is \$ 143,991. The allowable indirect cost recovery amount is \$129,592. The unallowable indirect cost recovery amount is \$14,399.13; which has been-absorbed through departmental administrative spending reductions.

Funds for this contract are provided by a grant from DES and will not affect the County general fund.

The cumulative reimbursement ceiling for the contract period July 1, 2005 through June 30, 2010 is increased to \$21,832,060.00. This amendment also revises the Scope of Work section to reflect a change in the Case Management Monthly reporting requirements and changes in the requirements for amending submittal dates for programmatic reports. In addition, the amendment contains revised itemized service budgets for Case Management services (Attachment A), Community Services (Attachment B). The CSBG ARRA-Community Services Itemized Service Budget (ISB) (Attachment C) is also included, but the ISB has no revisions nor does it incorporate any funds from this amendment. (C-22-06-016-3-13)

**69. ADMINISTRATIVE CORRECTION REGARDING THE EARLY HEAD START EXPANSION AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) GRANT FUNDS-  
APPROVED**

Approve an Administrative Correction to the action taken on September 2, 2009 (C-22-09-153-G-00) to apply for and accept the Early Head Start Expansion American Recovery and Reinvestment Act (ARRA) grant funds from the U.S. Department of Health and Human Services (DHHS)/Administration for Children and Families (ACF)/Office of Head Start (OHS). This correction reflects the decrease in the amount of funding that was originally applied for (\$1,910,595) and the actual amount awarded (\$1,356,106) for the first year of this two-year grant. Also, the first year's funding term has been reduced from September 30, 2009 through September 29, 2010 to November 1, 2009 through September 29, 2010.

This first year's adjusted grant funding includes \$431,204 for start-up activities and \$924,902 for operations. The sub-recipient (delegate agency) of this grant will receive \$408,111 of the first year funds, including start-up funding. The Fiscal Year 2009-2010 Human Services Department actual indirect cost rate is 18% and the current negotiated approved U.S. Department of Health and Human Services indirect cost rate is 16.2%. The total grant funds are \$1,356,106 of which \$408,111 is for the sub-recipient, \$179,080 is for food and other contracts, computers, tuition assistance, playground equipment, and building renovations which are not subject to indirect cost rates. The estimated indirect cost recovery amount is \$119,109. The allowable indirect cost recovery amount is \$107,198. The unallowable indirect cost recovery amount is \$11,911, which will be absorbed through departmental administrative spending reductions. The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. This grant will not impact the County General fund.

These funds will enable Maricopa County and its sub-recipient (delegate agency) to serve 118 additional low-income pregnant women and children ages 0-3 years and their families. These funds will create 23 new positions. (C-22-09-153-G-01)

**70. EXCEPTION TO THE TECHNOLOGY FINANCE PROGRAM CAPITAL ASSET POLICY-  
APPROVED**

Approve the exception to the Technology Finance Program (TFP), Capital Asset Policy A2507 Sub Section C.E.4 and Subsection C.H. to allow the Human Services Department (220) fund (222) operating budget (0000) to purchase:

Six DELL Optiplex 760 Small Form Factor computers for an estimated amount of \$5,992.20;

and Five DELL Latitude E6500 Laptops for an estimated \$6,684.35. The total estimated purchase amount is \$13,639.97 which includes \$963.42 for sales tax.

These computers are for the use of the Education Division of the Human Services Department on behalf of the Early Head Start program in order to comply with grant deliverables. The grant award includes funds to purchase these computers. Funding for the TFP will not be available beyond the 22 months of this American Recovery and Reinvestment Act (ARRA) grant award, which ends September 29, 2011. The capital purchase of six Optiplex computers and five Laptop computers is 100% funded by the ARRA grant award and will not affect the County General Fund budget. The purchases will be absorbed within the Human Services Department budget for the grant year ending September 30, 2010.

The purchase of these computers will be made under the authority of C-22-10-018-G-00, The American Recovery and Reinvestment Act, U.S. Department of Health and Human Services (DHHS) Administration for Children and Families (ACF)/Office of Head Start (OHS) and Maricopa County administered through its Human Services Department. (C-22-10-041-M-00)

#### **Parks and Recreation**

**71. AMENDMENT TO OPERATING AGREEMENT AMENDING THE PUBLIC RECREATIONAL MANAGEMENT RESPONSIBILITIES AT LAKE PLEASANT REGIONAL PARK- APPROVED**

Approve the First Amendment to the Operating Agreement amending the public recreational management responsibilities at the Lake Pleasant Regional Park ("LPRP") and providing for the collection of fees from certain users at the Park. This First Amendment is intended to amend the Operating Agreement amending the Public Recreational Management Responsibilities at Lake Pleasant Regional Park, entered into on December 15, 1992 between the United States Department of the Interior through the Bureau of Reclamation ("BOR"), Maricopa County Municipal Water Conservation District No. 1 ("MWD") and Maricopa County ("County") (Contract No. 3-07-30-L0370)(C-30-96-007-2) and shall be incorporated into the Lake Pleasant Regional Park Management Plan required by Article 3 of the Lake Pleasant Regional Park Agreement dated June 29, 1990 (Contract No. 9-07-30-L0298)(C-30-96-007-2). The term of the agreement remains 50 years (June 29, 1990 – June 28, 2040) with a 50 year renewal option. There is no financial impact.

BOR, MWD and County entered into the basic agreement (Contract No. 9-07-30-L0298) (C-30-96-007-2) on June 29, 1990 outlining the terms and conditions governing public recreational uses and provided for the collection of fees within the LPRP. On December 15, 1992 executed a First Amendment as pertained to the Operating Agreement amending the Public Recreation Management Responsibilities at LPRP (Contract No. 3-07-30-L0370)(C-30-96-007-2). The First Amendment for which approval is being sought is intended to amend the December 15, 1992 First Amendment which modifies and adds some definitions; amends the scope of the County's exclusive recreational management authority; and redefined the establishment and collection of fees. All Parties have complied with the provisions of the First Amendment, for which approval is being sought, since 2004, but has never been formally executed. (C-30-10-016-3-00)

**72. AMENDMENT TO CAPITAL IMPROVEMENT PROGRAM FOR RECONCILIATION AND ADD WHITE TANK NATURE CENTER AND OUTDOOR ASSEMBLY AREA (AMPHITHEATER) - APPROVED**

In accordance with A.R.S. 42-17106(B), approve the following amendment to the FY 2009-10 Five-Year Capital Improvement Program:

1) In the Non Departmental (470) General Fund County Improvement Fund (445):

a) Decrease the Parks System Master Plan (PSMP) FY 2009-10 budget by \$43,428 from \$43,428 to \$0; resulting in a project total budget of \$374,666.

b) Decrease the Visitor Centers & Amphitheaters (VAMP) FY2009-10 budget by \$184,368 from 184,368 to \$0; resulting in a project total budget of \$7,383,703.

c) Authorize and approve a non-recurring fund transfer in the amount \$90,000 from the Intergovernmental Capital Projects (422) to the General Fund County Improvement Fund (445). This action is necessary to correctly fund expenditures between the two funds utilized in the Visitor Centers & Amphitheaters Project.

d) Per ARS 42-17106(B), approve an increase to the FY 2009-10 Non Departmental (470) General Fund County Improvement Fund (445) Non-Recurring/Non-Project (0001) revenue appropriation of \$90,000, and an increase to the FY 2009-10 Non Departmental (470) Intergovernmental Capital Projects (422) Non-Recurring/Non-Project (0001) expenditure appropriation of \$90,000, and offsetting expenditure and revenue adjustments in Eliminations (980) Eliminations Fund (900) Non-Recurring/Non-Project (0001).

2) Create a new project in the Intergovernmental Capital Projects (422) titled "White Tank Nature Center/Outdoor Assembly Area" (WTNC) in the amount of \$165,000 and increase the expenditure authority in this project in Year 1 and authorize the Parks Department to proceed with this project.

a) Authorize and approve a non-recurring fund transfer in the amount of \$165,000 from the Parks and Recreation (300) Parks Enhancement Fund (241) to the Intergovernmental Capital Projects (422).

b) Per ARS 42-17106(B), approve an increase to the FY 2009-10 Non Departmental (470) Intergovernmental Capital Projects (422) Non-Recurring/Non-Project (0001) revenue appropriation of \$165,000, and an increase to the FY 2009-10 Parks and Recreation (300) Parks Enhancement Fund (241) Non-Recurring/Non-Project (0001) expenditure appropriation of \$165,000, and offsetting expenditure and revenue adjustments in Eliminations (980) Eliminations Fund (900) Non-Recurring/Non-Project (0001).

3) Decrease the Parks and Recreation (300) Parks Enhancement Fund (241) Non-Recurring/Non-Project (0001) expenditure authority by \$80,000.

4) Offset these decreases in expenditures authority with an increase in expenditure authority in Non Departmental (470) Grant Fund (249) Non-Recurring/Non-Project (0001) by \$232,796.

The requested actions are necessary because the actual spending during FY 2007-08 and FY 2008-2009 for the Visitor Center Amphitheater Project was greater than anticipated and the actual spending for the Parks Systems Master Plan was less than anticipated. Both projects are complete. The new White Tank Nature Center/Outdoor Assembly Area is required to fund the Park's portion of the new Library and Nature Center currently under construction. The net impact to the county is zero. (C-30-10-015-2-00)

## **CHIEF FINANCIAL OFFICER**

### **Finance**

#### **73. FUNDS TRANSFERS; WARRANTS- APPROVED**

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

#### **74. UTILITY EASEMENTS FOR NEW COURT TOWER- APPROVED**

Pursuant to A.R.S. §11-251 (9) and without public auction, approve and authorize the Chairman of the Board to execute all necessary and reasonable utility easements, which are approved as to form by the Board's legal counsel, for the construction, operation and maintenance of overhead and underground utilities and appurtenant facilities for the New Court Tower.

**THIS ITEM REQUIRES THE UNANIMOUS CONSENT OF THE BOARD.** (C-18-10-036-8-00)

## **CHIEF PROCUREMENT OFFICER**

### **Materials Management**

#### **75. SOLICITATION SERIALS- APPROVED**

Approve the following solicitation serial items. The action on the following items is subject to Legal Counsel's review and approval of the respective contracts and subsequent execution of contracts.

##### **a. 06112-S, SECURITY ELECTRONIC SYSTEMS, MAINTENANCE/REPAIR**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: January 13, 2010 (Effective April 01, 2010)

Serial: 06112-S

Item: Security Electronic Systems, Maintenance/Repair (\$1,200,000.00 estimate/three years until March 31, 2013) Three year renewal of contract for security electronic systems maintenance and repair throughout Maricopa County.

Norment Security Group, Inc. (C-73-10-064-7-00)

##### **b. 04227-RFP, PHARMACY SERVICES – CHS**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: January 13, 2010 (Effective April 01, 2010)

Serial: 04227-RFP

Item: Pharmacy Services – CHS (\$3,500,000.00 estimate/one year until March 31, 2011) Price agreement renewal to provide comprehensive pharmacy services to Correctional Health Services. This contract will provide Pharmacists, Drugs, dispensing delivery and other associated services.

Diamond Pharmacy Services (C-73-10-065-7-00)

**c. COOLING LOOP SERVICES, COUNTY BUILDINGS**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: May 01, 2020

Serial: 99214-RFP

Item: COOLING LOOP SERVICES, COUNTY BUILDINGS (\$22,000,000.00 estimate/10 years until April 30, 2030) This contract is to provide Chilled Water to County building for both heating and cooling as required there is no commercial alternative to this service. The County would have to restart existing Chillers and install new Chillers in the building that do not have chillers in them.

Northwind Phoenix LLC (C-73-10-066-7-00)

**76. 08066-RFP, ENERGY SAVING SERVICES, MARICOPA COUNTY FACILITIES, APPROVED**

Approve and authorize the execution of a phase II contract under SERIAL 08066 RFP ENERGY SAVING SERVICES, MARICOPA COUNTY FACILITIES with APS-Energy Services, subject to legal review and approval of the final form of the contract and the approval and completion of all related financial activities, which will be brought forward for approval in a separate agenda by the Office of Management and Budget, in an amount not-to-exceed \$25,331,158 for the completion of energy and water conservation projects as presented to the Board of Supervisors during the Informal Board Meeting on November 2, 2009 (C-91-10-066-P-00).

In addition, PURSUANT TO THE PROVISIONS PROVIDED FOR IN SERIAL RFP 08066, approve that all additional procurement and administrative functions of Phase II of this contract, including, but not limited to, final negotiation, construction oversight, contract administration, etc. be carried out under Article 5 of the Maricopa County Procurement Code and its related Administrative Procedures and transfer all responsibility for Phase II of this contract from the Chief Procurement Officer to the County Engineer and their related department, the Facilities Management Department for execution. (C-73-10-055-3-01)

**77. MATERIALS MANAGEMENT SR BUSINESS ANALYST POSITION REQUEST-  
APPROVED**

Approve the creation of a classified position (Business Analyst - Sr) in Materials Management. This position request is necessary due to the current Business Analyst Senior's participation in the Post Employment Health Enhancement (Retirement) Program (PEHPEP) which requires that the position (#3973) be eliminated. Creation of a new position is necessary to support business operations and continuity.

Position #3973, in the Materials Management Department, was inactivated due to the incumbents participation in the 2010 Post Employment Health Enhancement Program. The position attributes are as follows:

MRT: Business/Systems Analyst Senior-Lead  
Status: Classified  
Budgeted Rate: \$41.16

Due to the nature of this position, the Materials Management Department feels it necessary to replace position #3973 with a new position. The new position's attributes will be as follows:

MRT: Business/Systems Analyst (Senior-Lead)  
Status: Classified  
Budgeted Rate: \$34.26

The Materials Management Department will achieve savings through hiring a new employee at a lower rate of pay than the retiring employee. This will result in \$16,842 annual savings as required under the 2010 Retirement Health Enhancement Program. (C-73-10-067-M-00)

**ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES**

**Air Quality Department**

**78. AGREEMENT WITH CITY OF PHOENIX - DEER VALLEY AIRPORT FOR ACCESS OF  
AIR QUALITY MONITORS- APPROVED**

Approve an Agreement between City of Phoenix - Phoenix Deer Valley Airport and Maricopa County through the Air Quality Department, for the purpose of Access Agreement for Air Quality Monitors at Phoenix Deer Valley Airport. This Agreement is non-financial and is effective from January 12, 2010 until January 12, 2013. (C-85-10-024-3-00)

**79. DONATION OF BICYCLE FROM CITY OF CHANDLER- APPROVED**

Approve the donation of a bicycle (Make Haro - Model HH) from the City of Chandler to be presented to the winner of the Maricopa County Air Quality Department Kids Club Calendar Contest. Bicycle retail value is \$179.99. (C-85-10-023-D-00)

## **Environmental Services**

### **80. PURCHASE AND OPERATING TRANSFER OF VEHICLES AND MOBILE PRINTERS- APPROVED**

Authorize and approve a non-recurring fund transfer of \$57,228 from the Environmental Services Fees Fund (506) to the Air Quality Fees Fund (504). Approve the purchase and operating transfer of four vehicles from the Air Quality Department (850) Air Quality Fees Fund (504) to the Environmental Services Department (880) Environmental Services Fees Fund (506).

This action increases the Environmental Services Fleet, reduces the Air Quality Fleet and makes no net change to the size of the County fleet.

Authorize and approve a non-recurring fund transfer of \$2,500 from the Environmental Services Grant Fund (505) to the Air Quality Fees Fund (504). Approve the purchase and operating transfer of 20 Mobile Printers from the Air Quality Department (850) Air Quality Fees Fund (504) to the Environmental Services Department (880) Environmental Services Grant Fund(505).

Pursuant to A.R.S. 42-17106(B), approve an increase to the FY 2009-10 Air Quality Department (850) Air Quality Fees Fund (504) Non-Recurring/Non-Project (0001) revenue appropriation of \$59,728, an increase to the FY 2009-10 Environmental Services (880) Environmental Services Fees Fund (506) Non-Recurring/Non-Project (0001) expenditure appropriation of \$57,228, an increase to the FY2009-10 Environmental Services (880) Environmental Services Grant Fund (505) Non-Recurring/Non-Project (0001) expenditure appropriation of \$2,500, with offsetting expenditure and revenue adjustments in Eliminations (980) Eliminations Fund (900) Non-Recurring/Non-Project (0001).

This results in a net county-wide impact of zero. (C-88-10-004-V-00)

## **Equipment Services**

### **81. RENEWAL OF VEHICLE EXEMPTIONS FROM MARKINGS- APPROVED**

Pursuant to A.R.S. § 38-538.03, approve the continuation of an exemption from county markings for 457 Confidential Undercover Plates, with Maricopa County Identification Numbers. Adult Probation, County Attorney, Juvenile Probation, Sheriffs Office, Public Defender, Legal Defender, Juvenile Public Defender has submitted a statement to the Clerk's Office affirming that the vehicles included in the confidential list on file in the Clerk's Office continue to be used for the purposes required under A.R.S. § 38-538.03, thus justifying the continuation of an exemption from markings.

Departments utilizing vehicles included on the list on file in the Clerk's Office have submitted a statement affirming that their listed vehicles continue to be used for the purposes required under ARS § 38-538.03 thus justifying exemption from markings. This is the annual renewal of exemptions that were previously approved by the Board. The exemption from markings is requested due to the vehicles being used for felony investigations, activities of a confidential or sensitive nature and social service work. (C-74-10-005-V-00)

**Planning and Development**

**82. SALE AND OPERATING TRANSFER OF SURPLUS VEHICLES- APPROVED**

Approve a capital freeze exception and direct Equipment Services to replace the following vehicles with the three Planning & Development vehicles described below. This results in a net decrease to the County fleet of three vehicles. This action is being requested in accordance with agenda item C-49-08-031-6-01, approved by the Board on February 11, 2009.

Vehicles being removed from the County Fleet:

Equipment No. – Description

33103 '01 Dodge 3/4 ton 4WD pick-up

72342 '93 Chevy S-10 ½ ton ext. cab pick-up

31504 '05 Ford F-150 pick-up

Vehicles being acquired from Planning & Development as replacements:

Equipment No. – Description

31362 – ½ ton pickup truck

71514 – Compact pickup truck

72512 – Small SUV

Authorize and approve a non-recurring fund transfer of \$23,600 from the Transportation Operations Fund (232) to the Planning and Development Fees Fund (226). Approve the purchase and operating transfer of three vehicles from the Planning and Development Department (440) Planning and Development Fees Fund (226) to the Public Works Department (910) Transportation Operations Fund (232).

Pursuant to A.R.S. 42-17106(B), approve an increase to the FY 2009-10 Planning and Development (440) Planning and Development Fees Fund (226) Non-Recurring/Non-Project (0001) revenue appropriation of \$23,600, and an increase to the FY 2009-10 Public Works (910) Transportation Operations Fund (232) Non-Recurring/Non-Project (0001) expenditure appropriation of \$23,600, and offsetting expenditure and revenue adjustments in Eliminations (980) Eliminations Fund (900) Non-Recurring/Non-Project (0001). (C-44-10-059-V-00)

**83. DRAINAGE DESIGN MANUAL - HYDROLOGY FOR MARICOPA COUNTY (DDM HYDROLOGY) - APPROVED**

Adopt the Drainage Design Manual - Hydrology for Maricopa County (DDM Hydrology) which authorizes the Drainage Administrator to direct the use of the manual for purposes of evaluating drainage clearances as required by the Drainage Regulation.

The purpose of the DDM Hydrology is to provide updated technical procedures for estimating storm water runoff and to assist engineers in the delineation of flood and drainage hazards and the design of drainage facilities.

This manual outlines hydrologic design procedures to be used by County staff, developers, consulting engineers, and others. (C-44-10-060-M-00)

**84. INTERGOVERNMENTAL SERVICE AGREEMENT WITH STATE OF ARIZONA GOVERNMENT INFORMATION TECHNOLOGY AGENCY- APPROVED**

Approve the Intergovernmental Service Agreement between Maricopa County Planning and Development Department and the State of Arizona Government Information Technology Agency (GITA) in the not-to-exceed amount of \$11,040.00. The purpose of this Intergovernmental Service Agreement is for GITA to implement and enterprise geographic information system (GIS) called AZ3D Phase One. Planning and Development will provide and be reimbursed for management and technical resources applied to the Design and Implementation of an Interface to the County's Emergency Management software WebEoc and the State of Arizona Emergency Management software ETeam for the AZ3D project. This Agreement is effective from January 12, 2010 until September 30, 2010. (C-44-10-061-M-00)

**ASSISTANT COUNTY MANAGER - PUBLIC WORKS**

**Public Works**

**85. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS- APPROVED**

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-10-263-7-00)

**86. IGA WITH THE CITY OF PHOENIX FOR THE CONSTRUCTION PHASE OF THE JOINT PM DUST PROOFING PROJECT- APPROVED**

Approve the Intergovernmental Agreement (IGA) between Maricopa County and the City of Phoenix (No. 127252) for the joint Construction Phase of the PM Dust Proofing Project. By previous Board action (C-91-08-004-3-00) dated September 3, 2008 the County entered into an IGA with the City of Phoenix to design dust proofing of various roads and shoulders throughout the County and City. This request moves these projects from design to construction. The dust proofing is to be 2-inch Asphaltic Concrete over compacted native ground. The project is estimated to cost \$1,300,000. Funds have been set aside in the Public Works (910) Transportation Capital Projects Fund (234) Dust Mitigation (DMIT) Project Number T301, IGA with Phoenix for PM-10 Design and Construction.

The City is acting as the lead agency for the project, including coordination with ADOT and FHWA. The City will secure, execute and award the contract for construction of the Project. The City will notify County forces to inspect the work; and the County will notify the City of the County's acceptance. The County's portion of the costs will be 85.4% of the dust proofing for roadways and 100% of the dust proofing for shoulders. The costs are currently estimated at \$550,000, but not-to-exceed \$750,000 for the roadways and \$350,000, not-to-exceed \$550,000 for the shoulders. Each party will be responsible for maintenance of the portions of the project that reside within their jurisdictional boundaries.

The total estimated cost for the entire unpaved roads portion of the project is \$4,748,228. The County's portion of the unpaved roads project is estimated at \$4,055,000, of which approximately \$3,295,107 or 81% will come from federal monies. Because Phoenix is the lead agency, the City will receive the federal funding and apply it to the project, leaving a maximum of \$750,000 to be paid by the County.

The unpaved shoulders portion of the project is all within Maricopa County, and the

estimated cost is \$1,059,983, of which approximately \$554,380 or 52.3% will come from federal monies. Because Phoenix is the lead agency, the City will receive the federal funding and apply it to the project, leaving a maximum of \$550,000 to be paid by the County. Supervisorial Districts: 1, 2, 3, 4, and 5 (C-91-10-081-3-00)

**87. IGA WITH THE TOWN OF GILBERT AND THE CITY OF MESA FOR IMPROVEMENTS TO POWER AND PECOS-UPRR INTERSECTION- APPROVED**

Approve an Intergovernmental Agreement (IGA) between Maricopa County, acting through the Maricopa County Department of Transportation (County), the Town of Gilbert (Gilbert), a municipal corporation, and the City of Mesa, a municipal corporation for improvements to Power Road/Pecos Road Intersection and the Union Pacific Railroad (UPRR) Crossing. Gilbert is the lead agency for the Project and the County and Mesa shall participate financially in accordance with the Agreement. The total estimated cost of the intersection and UPRR improvements is \$7,449,067. The County's cost share responsibility is \$242,333. Funds are budgeted in the Public Works (910) Transportation Capital Projects Fund (234) MAG ALCP Project Number T306, Power Road at Pecos and the UPRR Crossing.

The purpose of this project is to improve the Power Road/Pecos Road intersection and the UPRR Crossing. Improvements include widening the intersection, dual left turn lanes, and raised medians with landscaping and improvements to the crossing at the Union Pacific Railroad (UPRR) in this vicinity. The Town of Gilbert is the lead agency for the project and the design is in accordance with Gilbert design standards. Gilbert will annex any remaining unincorporated portions of Power Road within the limit of the project and will be responsible for the operation and maintenance of the project located within Gilbert's jurisdiction.

In November 2004, the voters of Maricopa County approved a transportation excise tax for the purpose of implementing the Regional Transportation Plan (RTP) Arterial Life Cycle Program (ALCP). Project T306, Power Road @ Pecos Road Intersection and UPRR Crossing Improvements, is included in the Maricopa Association of Government (MAG) Regional Transportation Plan (RTP) and is eligible for regional funding on a reimbursement basis. As the lead agency, Gilbert has submitted the required documents necessary for these reimbursements.

The County is responsible for 50% of the costs for the improvements to the north leg and south leg of Power Road and 50% of the costs for the UPRR Crossing improvements. Gilbert is responsible for 25% of the north and south leg of Power Road, 100% of the west leg of Pecos Road and 50% of the UPRR Crossing. Mesa is responsible for 25% of the north and south leg of Power Road and 100% of the east leg of Pecos Road. The County's total project cost share responsibility to the project is \$2,154,494. Based on a previous contribution of \$400,000 to Gilbert from the TAB Special Project Fund (SPF) and also the anticipated credit of \$1,512,161 of the aforementioned RTP ALCP reimbursements, the County's remaining cost share responsibility is \$242,333.  
Supervisory District No: 1 (C-91-10-088-M-00)

**88. DECLARE AS EXCESS AND SELL EXCESS PARCEL- APPROVED**

Pursuant to A.R.S. §11-251, declare as excess land and authorize the Maricopa County Department of Transportation (MCDOT) to sell the parcel as described below at public auction or in the event of a sale to a municipality, at market value without an auction to reduce Department liability and maintenance, and generate revenue for future projects. The sale documents will be processed and signed by the Board at the time of the sale.

The parcel is described as approximately 37,500 square feet or 0.8609 +/- acres as excess land. This portion of APN 500-24-005B is a remnant from MCDOTs Bell Rd Bridge at the

Agua Fria River project. Bell Road was annexed by the City of Surprise in 1995. The City of Surprise wishes to purchase the property as part of the existing annexed roadway. Maricopa County staff has determined the property is excess to MCDOT projects. The parcel is south of Bell Road, about ½ mile east of El Mirage Road, at the Agua Fria River. With unanimous Board approval, the parcel will be sold to the City of Surprise per Arizona Revised Statute 11-251, and its value is estimated to be \$470.00.

Approve this property as excess land so that it can be sold to a governmental entity and reduce Department liability and maintenance. The property will be sold at market value that has been established through the appraisal process. The property has been appraised to be worth approximately Four Hundred Seventy Dollars (\$470.00). The property was part of the Bell Rd. Agua Fria project. Bell Rd. was annexed in 1995 by the City of Surprise. MCDOT has no operations or maintenance of Bell Rd. in this location. (C-91-10-087-3-00)

**89. REIMBURSEMENT FROM THE MARICOPA ASSOCIATION OF GOVERNMENTS FIVE YEAR TRANSPORTATION IMPROVEMENT PROGRAM- APPROVED**

Authorize MCDOT to apply for \$492,962 in reimbursement funding from the Maricopa Association of Governments (MAG) Five Year (Federal FY2010-2014) Transportation Improvement Program (TIP), in order to install fiber optic conduit and cable for the expansion of the AZTech™ and MCDOT Intelligent Transportation System (ITS). The installation location is along 99th Ave from Olive Ave north to Bell Road, approximately five miles. If the award is made, authorize to accept the funds in Fiscal Years 2009-10 and 2010-11 in the Public Works (910) Transportation Capital Projects Fund (234) Intelligent Transportation System (INTL) Project Number T287, 99th Ave from Olive Ave north to Bell Road.

To ensure regional project coordination and following long-standing federal aid requirements, the MAG five year, annually updated Transportation Improvement Program lists all planned transportation improvement projects in the MAG area for the current and subsequent four years. This 99th Ave ITS project is a MCDOT proposed project appearing in the MAG TIP.

The project is currently being designed. When constructed, it will enable much faster and considerably more reliable communication---using fiber optics---among all of the traffic signals along the corridor (including signals adjacent to 99th Ave). It will, in addition, provide a communication link with the Regional Community Telecommunications Network (RCN) and will facilitate connection of the corridor's signals with the MCDOT Transportation Management Center (TMC). The project will also result in a substantial savings in MCDOT's recurring leased line communication costs, currently approximating \$62,000 per annum.

Current estimates of total project cost are \$938,611, which include construction management costs. The Federal funding portion which is available for the project is \$492,962, available on a reimbursement basis. The Department of Transportation's indirect cost rate for FY 2009-10 is 19.7%. The total grant amount is for capital expenditures which are not subject to indirect cost recovery.  
Supervisory District No. 4 (C-91-10-086-M-00)

**90. IGA WITH THE TOWN OF QUEEN CREEK AND PINAL COUNTY FOR ROADWAY IMPROVEMENTS TO ELLSWORTH ROAD- APPROVED**

Approve an Intergovernmental Agreement (IGA) between Maricopa County, acting through the Maricopa County Department of Transportation (Maricopa County), the Town of Queen Creek (Town), a municipal corporation, and Pinal County, acting through the Pinal County Department of Public Works (Pinal County), for roadway improvements to Ellsworth Road

from Empire Boulevard to Cloud Road and Intersection Improvements at Empire Boulevard/Hunt Highway. The total estimated cost for the project is \$17.5 million. Maricopa County's cost share responsibility is \$7.24 million but is not to exceed \$7.75 million. Funds are budgeted in the Public Works (910) Transportation Capital Projects Fund (234) County Arterials (ARTS) Bin, Project Number T178, Ellsworth Rd: Hunt Highway to Riggs Road.

The improvements to Ellsworth Road from Empire Boulevard to Cloud Road (roadway) is a 1.5 mile segment that will be constructed as a Principal Arterial roadway consisting of three through lanes in each direction with bike lanes, street lighting and traffic signals. The improvements to the Empire Boulevard/Hunt Highway intersection (intersection) will include traffic signalization and full improvements in each direction in accordance with the approved plans. The roadway and the north portion of the intersection lie within unincorporated Maricopa County and the Town of Queen Creek. The south portion of the intersection lies within unincorporated Pinal County.

Upon execution of this IGA, Maricopa County will assume the lead role in managing the project, which will include but not be limited to, coordinating and facilitating the completion of the environmental clearance, right-of-way acquisitions, utilities, construction and construction management.

Maricopa County and the Town will cost share 50/50 for the roadway improvements. Pinal County will be responsible for 100% of the project cost for the south portion of the intersection. The Town will be responsible for 100% of the project cost associated with the Town's water and irrigation line installation. The total cost of this project is currently estimated at \$17.5 million. Maricopa County's estimated cost share contribution to the project is \$7.24 million but is not to exceed \$7.75 million. The Town's estimated cost share contribution to the project is \$7.95 million. Pinal County's estimated cost share contribution to the project is \$2.34 million. The project is scheduled to begin construction in early spring 2010.

Out of the \$17.5 million total cost, Maricopa County will spend \$16.1 million as part of being the lead for this project. Pinal County and the Town will spend \$1.4 million of their own funds for the roadway improvements and water and irrigation line installation mentioned above. Pinal County and the Town will also reimburse Maricopa County the amount of \$8.86 million in FY 2010-11. The reimbursement from Pinal County and the Town will result to a net share contribution of \$7.24 million for Maricopa County. Supervisory District No: 1 (C-91-10-094-M-00)

**91. ROAD ABANDONMENT (ROAD FILE NO. AB-240) - APPROVED**

Pursuant to A.R.S. §28-7214, adopt Resolution AB-240 to abandon a portion of 52nd Street in the vicinity of 52nd Street North of Dynamite Boulevard, by extinguishing the easement which was conveyed to Maricopa County by means of Easement and Agreement for Highway purposes on April 27, 1994 and recorded by the Maricopa County Recorder as Instrument Number 1994-0339329. (C-91-10-080-M-00)

## **BOARD OF SUPERVISORS**

### **Clerk of the Board**

**92. APPOINTMENT TO THE PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM LOCAL BOARDS- APPROVED**

Pursuant to A.R.S. §38-847 and §38-893, approve the appointment of Alberto Gutier as a citizen member to the following local boards:

- County Attorney Investigator's Public Safety Personnel Retirement System Local Board
- Park Police Public Safety Personnel Retirement System Local Board
- Sheriff's Office Public Safety Personnel Retirement System Local Board
- Corrections Officer Retirement Plan Local Board

The term of the appointment will be effective as of the date of Board approval through December 31, 2013.

Mr. Gutier was elected Chairman of the Merit System Commission on December 2, 2009. (C-06-10-221-9-00)

**93. APPOINTMENT TO THE AIR POLLUTION HEARING BOARD- APPROVED**

Approve the appointment of Shane M. Leonard to the Air Pollution Hearing Board as nominated by Supervisorial District 1. Mr. Leonard will fill the John Rutledge vacancy effective as of the date of Board approval through August 23, 2011. (C-06-10-236-9-00)

**94. APPOINTMENTS TO THE MARICOPA COUNTY AGRICULTURAL EXTENSION BOARD- APPROVED**

Pursuant to A.R.S. §3-124, approve the appointment of the following individuals to the Maricopa County Agricultural Extension Board:

**Agricultural Production**

- Cheryl Goar, AZ Nursery Association (Supervisorial District 1)
- Mike Hills, Seed Research of Oregon (Supervisorial District 3)
- Tracy Johnson, Lakin Cattle Company (Supervisorial District 4)
- Arnott Duncan, Duncan Family Farms (Supervisorial District 4)

**Service Users**

- Al Harris, Jr., Tanner Community Development Corp. (Supervisorial District 1)
- Carol Ward Morris, AZ Municipal Water Users Assoc (Supervisorial District 2)
- Deborah Kidd Chapman, KEYS Community Center (Supervisorial District 5)

The term of the appointments will be effective as of the date of Board approval through December 31, 2011. (C-06-10-238-9-00)

**95. ADMINISTRATIVE CORRECTION TO THE DESIGNATION OF THE SUPERINTENDENT OF STREETS- APPROVED**

Approve an administrative correction to item C-91-09-139-7-00 approved on April 1, 2009. The designation of John Morast as Superintendent of Streets was erroneously placed under the Improvement District agenda. This item should have been approved under the Board of Supervisors. This action corrects the error. The term and conditions of his designation are to

remain effective as of April 1, 2009. (C-91-09-139-7-01)

## **SETTING OF HEARINGS**

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

### **Public Works**

96. Set a public hearing to declare the following roads into the county highway system for 9:00 a.m., Wednesday, February 10, 2010. **- APPROVED**

**a. AMENDMENT TO ROAD FILE NO. A275-R**

Road File No. A275-R, said alignment is also known as 15th Avenue, from Irvine Road to Desert Hills Drive, lying within Supervisor District No. 3. (C-64-04-003-5-01)

**b. ROAD FILE NO. 5835**

Road File No. 5835 to Open and Declare the following described alignments into the County Transportation System. General Vicinity: Olive Avenue and Citrus Road. Supervisor District No. 4 (C-91-10-093-M-00)

**c. ROAD FILE NO. 5836**

Road File No. 5836 to Open and Declare the following described alignments into the County Transportation System. All streets consistent with the rights-of-way, as depicted in White Tank Foothills Parcel 5, a subdivision as shown in Book 798 of Maps, Page 47, M.C.R.; Except any part lying within White Tank Foothills Infrastructure, a subdivision as shown in Book 777 of Maps, Page 19, M.C.R.; Containing 4.395 acres.

General Vicinity: Olive Avenue and Citrus Road. Supervisor District No. 4 (C-91-10-091-M-00)

**d. ROAD FILE NO. 5837**

Road File No. 5837 to Open and Declare the following described alignments into the County Transportation System. All streets consistent with the rights-of-way, as depicted in White Tanks Foothills Parcel 6, a subdivision as shown in Book 801 of Maps, Page 43, M.C.R.; Except any part lying within White Tank Foothills Infrastructure, a subdivision as shown in Book 777 of Maps, Page 19, M.C.R.; Containing 4.409 acres. General Vicinity: Olive Avenue and Citrus Road. Supervisor District No. 4 (C-91-10-092-M-00)

**e. ROAD FILE NO. 5838**

Road File No. 5838 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Olive Avenue and Citrus Road. Supervisor District No. 4 (C-91-10-090-M-00)

**f. ROAD FILE NO. 5839**

Road File No. 5839 to Open and Declare the following described alignments into the County Transportation System. General Vicinity: Olive Avenue and Citrus Road. Supervisor District No. 4 (C-91-10-100-M-00)

**g. ROAD FILE NO. 5840**

Road File No. 5840 to Open and Declare the following described alignments into the County Transportation System. General Vicinity: Olive Avenue & Citrus Road. Supervisor District No. 4 (C-91-10-101-M-00)

**h. ROAD FILE NO. 5841**

Road File No. 5841 to Open and Declare the following described alignments into the County Transportation System. All streets consistent with the rights-of-way, as depicted in White Tank Foothills Parcel 10, a subdivision. Supervisor District No. 4 (C-91-10-097-M-00)

**i. ROAD FILE NO. 5842**

Road File No. 5842 to Open and Declare the following described alignments into the County Transportation System. All streets consistent with the rights-of-way, as depicted in Anthem Unit 31, a subdivision. Supervisor District No. 3 (C-91-10-098-M-00)

**j. ROAD FILE NO. 5843**

Road File No. 5843 to Open and Declare the following described alignments into the County Transportation System. General Vicinity: Gavilan Peak Parkway and Navigation Way. Supervisor District No. 3 (C-91-10-099-M-00)

**k. ROAD FILE NO. 5844**

Road File No. 5844 to Open and Declare the following described alignments into the County Transportation System. General Vicinity: Gavilan Peak Parkway and Navigation Way. Supervisor District No. 3 (C-91-10-096-M-00)

**l. ROAD FILE NO. 5845**

Road File No. 5845 to Open and Declare the following described alignments into the County Transportation System. General Vicinity: Liberty Bell and Anthem Way. Supervisor District No. 3 (C-91-10-095-M-00)

**Public Health**

97. **SET A PUBLIC HEARING FOR ADOPTION OF THE FEE SCHEDULE FOR TRAINING CLASSES FOR MCDPH OFFICE OF FAMILY HEALTH- APPROVED**

Pursuant to A.R.S. §11-251-08, set a public hearing for 9:00 a.m., Wednesday, February 10, 2010 to consider the adoption of the fee schedule for training classes provided by Maricopa County Department of Public Health's (MCDPH) Office of Family Health. Training will be delivered to agency service providers serving children birth through five years of age. Training will be held on an as-needed basis.

Training cost will be \$30 per participant. These fees are effective upon Board approval.

Training fee will only be charged to participants from agencies other than MCDPH or University of Arizona (UA) Extension Office. The fee will be split one third to UA, and two-thirds to MCDPH. (C-86-10-104-M-00)

**CONSENT AGENDA**

**Clerk of the Board**

98. **APPOINTMENTS- APPROVED**

Approve the Official Appointments of Tiffany Hilstrom and Elva Rodriguez as Deputy Recorder. (C-06-10-254-7-00)

99. **CANVASS OF ELECTIONS- APPROVED**

Pursuant to A.R.S. §16-642(B), accept the canvasses of elections submitted by special districts as on file in the Clerk of the Board's Office. (C-06-10-255-7-00)

100. **DONATIONS- APPROVED**

In accordance with County Policy A2805, accept the monthly donation report received from Library District for December 2009. Donation reports are on file in the Clerk of the Board's Office. (C-06-10-256-7-00)

101. **DUPLICATE WARRANTS- APPROVED**

Pursuant to A.R.S §11-632, approve and ratify the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. Necessary affidavits have been filed with the Board. Affidavits presented are on file in the Clerk of the Board's Office. (C-06-10-257-7-00)

102. **MARKET RANGES- APPROVED**

Pursuant to A.R.S §§11-251.38 and 251.51, approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. List of additional and/or

replacement market ranges are on file in the Clerk of the Board's office. (C-06-10-250-7-00)

**103. MINUTES- APPROVED**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Supervisors meetings held June 15, 2009; July 20, 2009; September 17, 2009; October 5, 2009; October 19, 2009 and November 10, 2009 . (C-06-10-241-7-00)

**104. PRECINCT COMMITTEEMEN- APPROVED**

Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. List is on file in the Clerk of the Board's Office. (C-06-10-252-7-00)

**105. REDEMPTION OF WAIVERS FOR INDIVIDUALS AND ORGANIZATIONAL EXEMPTIONS- APPROVED**

Pursuant to A.R.S. §42-11153B, approve the redemption of waivers for individuals and organizations requesting exemptions for the 2009 tax year during the period of July 18, 2009 through December 15, 2009. Report is on file in the Clerk of the Board's Office. (C-06-10-258-7-00)

**106. SECURED TAX ROLL CORRECTIONS- APPROVED**

Pursuant to A.R.S. §§42-15155, 16002, 16215, 16258, and 19118, approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions on file in the Clerk of the Board's Office. (C-06-10-259-7-00)

**107. SETTLEMENT OF PROPERTY TAX CASES- APPROVED**

Pursuant to A.R.S. §§42-16201 through 16215, approve the settlement of tax cases dated January 12, 2010. List is on file in the Clerk of the Board's Office. (C-06-10-264-7-00)

**108. TAX ABATEMENTS- APPROVED**

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. List is on file in the Clerk of the Board's Office.

(C-43-10-013-M-00)

**BOARD OF SUPERVISORS ADDENDUM**

**Public Defender**

**A-1. EXEMPTION TO THE POST EMPLOYMENT (RETIREMENT) HEALTH PLAN ENHANCEMENT PROGRAM - PUBLIC DEFENDER- APPROVED**

Approve an exemption to the POST EMPLOYMENT (RETIREMENT) HEALTH PLAN ENHANCEMENT PROGRAM (PEHP), approved by the Board on November 16, 2009 and allow Facility Services Representative position 00008541 to remain an active position in the Office of the Public Defender (520). The Office of the Public Defender requests an exemption to the PEHP requirement that positions vacated as a result of program participation be inactivated and further requests authorization to fill this position through normal County processes.

Also, approve an exemption to the PEHP in order to recruit for (00008541) Facilities Service Representative with the hiring range of \$14.53/Hour to \$17.92/Hour.

Position #00008541, in the Office of the Public Defender, was vacated when the incumbent chose to participate in the FY09-10 Post Employment Health Plan Enhancement Program. The position attributes are as follows:

MRT: Admin Operations Specialist  
Status: Classified  
Budgeted Rate: \$20.32

This is the only position in the Public Defender's Office that performs facility coordination efforts. As a result, the Office of the Public Defender feels it necessary to replace the incumbent in position #00008541 with the following attributes:

MRT: Admin Operations Specialist  
Status: Classified  
Budgeted Rate: \$17.92 (mid-range)

Due to the retirement of the Facility Services Representative the department will achieve additional budgeted savings for FY 2009-10. Hiring a less experienced Facility Services Representative to replace the previous incumbent will result in at least \$2,965 in savings for FY09-10. (C-52-10-005-M-00)

## **FLOOD CONTROL DISTRICT AGENDA**

### **F-1. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS- APPROVED**

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. The list is on file in the Clerk of the Board's Office. (C-06-10-262-7-00)

### **F-2. AMENDMENT TO IGA FOR DESERT SOIL HYDRAULIC CHARACTERIZATION PROJECT- APPROVED**

Approve Amendment No. 1 FCD 2008A014A to Intergovernmental Agreement (IGA) FCD 2008A014, between the Nevada System of Higher Education, Desert Research Institute (DRI) and the Flood Control District of Maricopa County (District) to extend the period of this IGA to allow sufficient time for DRI to complete the review and revision process of the final report. This is a No Cost Amendment. Agreement FCD 2008A014 was approved by the Board of Directors on March 18, 2009 (C-69-09-050-3-00).

This IGA Amendment is effective the date it is fully executed by all parties. The IGA shall terminate on February 26, 2010.

The DRI will be responsible for completion of all work items under this IGA. The purpose is 1) to evaluate runoff potential and physically measure infiltration rates on a test watershed in Maricopa County, 2) to develop Green and Ampt parameters using the measured data and compare the results with the District's current method and a new method for estimating Green and Ampt parameters developed by the USDA Agricultural Research Service, and 3) to apply the developed parameters to the test watershed and two (2) other similar watersheds for which the District has developed rainfall-runoff data and simulation models for storms of record. The results are expected to be published and may be used in refining the District's Drainage Design Manual.

This item impacts all Supervisor Districts 1, 2, 3, 4, and 5. (C-69-09-050-3-01)

**F-3. IGA WITH CITY OF SCOTTSDALE FOR BOULDER RIDGE FLOOD REDUCTION PROJECT-APPROVED**

Approve Intergovernmental Agreement (IGA) FCD 2009A023 for the Boulder Ridge Flood Reduction Project (Project [#699]) between the City of Scottsdale (City) and the Flood Control District of Maricopa County (District). This IGA is for cost sharing of the Project, Project construction and Project operations and maintenance. The estimated total Project cost is \$660,000. The District's estimated (and not-to-exceed) share of the Project cost is \$250,000; the City's estimated share of the Project cost is \$410,000. The City will operate and maintain the completed Project. The IGA shall become effective when recorded at the office of the County Recorder and shall expire two years from the date of recording or upon Project completion, whichever occurs first.

The City proposed the Project for the District's evaluation under the District's Small Project Assistance Program for Fiscal Year 2010/11. The Project was recommended, scoring seventh among fourteen submittals by various municipalities. This IGA is proposed in accordance with the terms of the Small Project Assistance Program, adopted by the Board under Resolution FCD 2009R003 (C-69-09-062-6-00).

The Project will reduce flows that have caused documented historic flooding of four residential properties within the Boulder Ridge subdivision and will reduce flows that have caused roadway or access closures in the vicinity of the Project. This Agenda Item impacts Supervisor District 2. (C-69-10-041-3-00)

**F-4. CONTRACT WITH GAVAN & BARKER INC. FOR OAK STREET BASIN AND STORM DRAIN DESIGN-APPROVED**

Award Contract FCD 2009C021, Oak Street Basin and Storm Drain Design to Gavan & Barker, Inc. This contract is a lump sum of \$297,353.24 plus a not-to-exceed amount of \$107,262.90 for optional design items, plus \$40,000.00 for optional post-design services. The total contract amount including optional items will not exceed \$444,616.14. The contract performance is 1,066 calendar days effective the date of the Notice to Proceed.

This is a qualification-based selection in accordance with Maricopa County Procurement Code, Article 5, Paragraph 504.

The Spook Hill Area Drainage Master Plan (ADMP) identified flooding problems in the northeast Mesa area and recommended solutions to these problems. The Project is to capture the 100-year storm flows from the upstream watershed in a storm drain and

detention basin system and ultimately drain the system into the Spook Hill Flood Retarding Structure. This project is located in District 2. (C-69-10-042-5-00)

**F-5. IGA WITH CITY OF PHOENIX FOR 41ST PLACE AND CHARTER OAK ROAD DRAINAGE IMPROVEMENT PROJECT- APPROVED**

Approve Intergovernmental Agreement (IGA) FCD 2009A020 for the 41st Place and Charter Oak Road Drainage Improvement Project (Project [#699]) between the City of Phoenix (City) and the Flood Control District of Maricopa County (District). This IGA is for cost sharing of the Project, Project construction and Project operations and maintenance. The estimated total Project cost is \$555,511. The District's estimated (and not-to-exceed) share of the Project cost is \$250,000; the City's estimated share of the Project cost is \$305,511. The completed Project will be operated and maintained by the City. The IGA shall become effective when recorded at the office of the County Recorder and shall expire two years from the date of recording or upon Project completion, whichever occurs first.

The City proposed the Project for the District's evaluation under the District's Small Project Assistance Program for Fiscal Year 2010/11. The Project was recommended, scoring third among fourteen submittals by various municipalities. This IGA is proposed in accordance with the terms of the Small Project Assistance Program, adopted by the Board under Resolution FCD 2009R003 (C-69-09-062-6-00).

The Project will reduce flows that have caused documented historic flooding of eight residential properties in the Las Haciendas subdivision and will reduce flows that have caused roadway or access closures in the vicinity of the Project.  
This Agenda Item impacts Supervisor District 3. (C-69-10-043-3-00)

**F-6. MINUTES- APPROVED**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Flood Control District meetings held October 5, 2009. (C-06-10-261-7-00)

## **LIBRARY DISTRICT AGENDA**

**L-1. AMENDMENT TO IGA WITH THE CITY OF CHANDLER FOR THE RECIPROCAL BORROWING PROGRAM- APPROVED**

Approve Amendment No. 3 to the Intergovernmental Agreement (IGA) between the Maricopa County Library District and the City of Chandler for The Reciprocal Borrowing Program (RBP). The effective date for services under this amendment shall be July 1, 2009 to June 30, 2010. The District shall reimburse the town, semi-annually, at the rate of \$26.00 per net non-resident borrower card issued. All other terms and conditions of the IGA shall remain in full force and effect. This program enables all city residents to use other participating libraries and allows other county residents to use each of the participating public libraries (plus Maricopa County libraries) without incurring a library card fee.

The Maricopa County Library District has sponsored an annual Reciprocal Borrowing Program as a regional service to all County residents since 1991. There are 11 public libraries and 12 cities/towns participating in Maricopa County. Under this program, the net lending library receives reimbursement based on the formula established in the IGA. Reimbursement is computed with an initial payment made at the midpoint of the fiscal year

and a final computation and payment made at the close of the fiscal year. (C-65-02-013-2-03)

**L-2. DONATIONS FROM PANDA EXPRESS AND THE FOUNTAIN HILLS LIBRARY ASSOCIATION- APPROVED**

Approve and accept a cash donation to the Library District's Summer Reading Program from Panda Express in the amount of \$2,186.55 and a new table and chairs for the Conference Room at the Fountain Hills Branch Library from the Fountain Hills Library Association (Friends Group) valued at \$11,742.16.

Pursuant to A.R.S. §42-17106(B), approve a revenue and expenditure appropriation adjustment to the Library District (650) Library District Grants (244) Operating (0000) budget in the amount of \$2,186.55 for FY 2010. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-65-10-011-M-00)

**CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS**

- 109.** Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.)
- 110.** Supervisors'/County Manager's summary of current events.

**\*\*\*The Board of Supervisors will now consider Code Enforcement Reviews.\*\*\***

**Please note that these matters are of a quasi-judicial nature and the Board will review the Hearing Officer's decision in each case to determine if sufficient evidence was presented to the Hearing Officer to support the decision or whether a procedural error may have occurred. New evidence is not considered at these hearings.**

**CODE ENFORCEMENT REVIEW**

**PZ-1. V200901461 – ANDRUS – UPHELD HEARING OFFICER**

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V200901461, Andrus (Supervisor District 2) (C-44-10-064-M-00)

**PZ-2. V200800833 - HAPPY VALLEY VISTA – CONTINUED TO FEBRUARY 24, 2010**

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V200800833, Happy Valley Vista (Supervisor District 3). (C-44-10-063-M-00)

**PZ-3. V200901335 - LITCHFIELD ELEMENTARY SCHOOL – CONTINUED TO APRIL 14, 2010**

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V200901335, Litchfield Elementary School (Supervisor District 4) (C-

44-10-062-M-00)

\*\*\*The Board of Supervisors will now consider matters related to Planning and Zoning.\*\*\*

## **PLANNING AND ZONING AGENDA**

### **CONSENT AGENDA**

**1. SPECIAL USE PERMIT - CRICKET @ CORESLAB - CONTINUED TO JANUARY 27, 2010**

Case Number: Z2009029  
Supervisory District: 5  
Applicant: Quinn United Enterprises for Cricket and Coreslab Structures  
Location: Northwest corner of 43rd Avenue and Roeser Road (in the Laveen area)  
Request: Special Use Permit (SUP) for a wireless communication facility in the IND-3 IUPD zoning district and in the WCF Use District 1 (approx. 0.021 acres) – Cricket PHX 254 @ Coreslab  
Commission Action: Approval by a unanimous vote of 9-0 subject to staff recommended stipulations 'a' - 'r'.  
(C-44-10-066-7-00)

**2. ZONE CHANGE - EL MIRAGE FIESTA - APPROVED**

Case Number: Z2009081  
Supervisory District: 4  
Applicant: Burch & Cracchiolo for Kimco/De Rito El Mirage, LLC  
Location: Northeast corner of El Mirage Road and Williams Drive (in the Sun City West/Surprise/Peoria area)  
Request: Modification of Stipulation to the El Mirage Fiesta Zone change Z2005067 (approx. 28.04 acres) – El Mirage Fiesta  
Commission Action: Approval by a unanimous vote of 8-0 subject to staff recommended modified stipulation 'p' incorporated into the listed stipulations 'a' - 's'.  
(C-44-10-072-7-00)

### **REGULAR AGENDA**

**3. SPECIAL USE PERMIT - HAPPY APPLE ACTIVITY CENTER- APPROVED**

Case Number: Z2008120  
Supervisory District: 4  
Applicant: Ron and Lindy Short  
Location: North of Deer Valley Road and west of 89th Avenue (in the Peoria area)  
Request: Special Use Permit (SUP) for a group care facility for a children's activity center in the Rural-43 zoning district (approx. 1.27 acres) – Happy Apple Activity Center  
Commission Action: Approved by unanimous vote of 9-0, subject to stipulations 'a' - 't'.  
(C-44-10-067-7-00)

**4. SPECIAL USE PERMIT - MESQUITE SOLAR- APPROVED**

Case Number: Z2009022  
Supervisory District: 4  
Applicant: SEP-II, LLC  
Location: Southeast corner of Elliot Road of 411th Avenue (in the Tonopah / Arlington area)  
Request: Special Use Permit (SUP) for a 400 MW photovoltaic (PV) solar energy generation facility in the Rural-190 zoning district (approx. 2,480 acres) – Mesquite Solar  
Commission Action: Approval by a vote of 8-0-1 (Johnson recused), subject to stipulations 'a' - 'v'  
(C-44-10-071-7-00)

**5. SPECIAL USE PERMIT - CRICKET @ DEER VALLEY COUNTRY CLUB- APPROVED**

Case Number: Z2009030  
Supervisory District: 5  
Applicant: Quinn United Enterprises for Cricket and Recreation Center of Sun City  
Location: West of Parada Drive at the Deer Valley Golf Course maintenance facility (in the Sun City West/Surprise area)  
Request: Special Use Permit (SUP) for a wireless communication facility in the Rural-43 RUPD zoning district and in the WCF Use District 1 (approx. 0.0129 acres) – Cricket PHX 366 @ Deer Valley Country Club  
Commission Action: Approved by a vote of 9-0 subject to stipulations 'a' - 'r'.  
(C-44-10-068-7-00)

**6. SPECIAL USE PERMIT - HUA-MEI-LAND, LLC- APPROVED**

Case Number: Z2008042  
Supervisory District: 4  
Applicant: Beus Gilbert, PLLC for Hua-Mei Land, LLC  
Location: Northwest corner of Reems Road and Myrtle Avenue (in the west Glendale area)  
Request: Special Use Permit (SUP) for interim industrial uses for a 4-building office/warehouse industrial business park. This site is within the High Noise/Accident Potential Zone (70 ldn and 75 ldn) of Luke Air Force Base (LAFB). (approx. 8.58 ac.) – Hua-Mei Land, LLC  
Commission Action: Approve by a vote of 8-1 (Smith dissented), subject to stipulations 'a' – 'w'. (see attached draft minutes of the December 3, 2009 Commission hearing.)

Note: Super-majority vote of BOS needed for SUP approval. (C-44-10-069-7-00)